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THE

HISTORY

OF

England,

FROM THE

30960

INVASION OF JULIUS CÆSAR

TO THE

REVOLUTION IN 1688,

BY

David Hume.

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THE

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OF

ENGLAND,

FROM

THE INVASION OF JULIUS CÆSAR

TO

THE REVOLUTION IN 1688.

BY DAVID HUME, ESQ.

FOURTH VOLUME.

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CHAPTER L.

CHARLES I.

1625....1649.

A PARLIAMENT AT WESTMINSTER....AT OXFORD....NAVAL EXPEDITION AGAINST SPAIN....SECOND PARLIAMENT....IMPEACHMENT OF BUCKINGHAM....VIOLENT MEASURES OF THE COURT....WAR WITH FRANCE....EXPEDITION TO THE ISLE OF RHE.

A PARLIAMENT AT WESTMINSTER. 1625.

No ſooner had Charles taken into his hands the reins of government than he ſhewed an impatience to aſſemble the great council of the nation; and he would gladly, for the ſake of diſpatch, have called together the ſame parliament which had ſat under his father, and which lay at that time under prorogation. But, being told that this meaſure would appear unuſual, he iſſued writs for ſummoning a new parliament on the ſeventh of May; and it was not without regret that the arrival of the

princeſs Henrietta, whom he had eſpouſed by proxy, obliged him to delay, by repeated prorogations, their meeting till the eighteenth of June, when they aſſembled at Weſtminſter for the diſpatch of buſineſs. The young prince, unexperienced and impolitic, regarded as ſincere all the praiſes and careſſes with which he had been loaded while active in procuring the rupture with the houſe of Auſtria. And, beſides that he laboured under great neceſſities, he haſtened with alacrity to a period when he might receive the moſt undoubted teſtimony of the dutiful attachment of his ſubjects. His diſcourſe to the parliament was full of ſimplicity and cordiality: he lightly mentioned the occaſion which he had for ſupply:[a] he employed no intrigue to influence the ſuffrages of the members: he would not even allow the officers of the crown, who had ſeats in the houſe, to mention any particular ſum which might be expected by him. Secure of the affections of the commons, he was reſolved that their bounty ſhould be entirely their own deed, unaſked, unſolicited; the genuine fruit of ſincere confidence and regard.

The houſe of commons accordingly took into conſideration the buſineſs of ſupply. They knew that all the money granted by the laſt parliament had been expended on naval and military armaments, and that great anticipations were likewiſe made on the revenues of the crown. They were not ignorant that Charles was loaded with a large debt, contracted by his father, who had borrowed money both from his own ſubjects and from foreign princes. They had learned by experience that the public revenue could with difficulty maintain the dignity of the crown, even under the ordinary charges of government. They were ſenſible that the preſent war was very lately the reſult of their own importunate applications and entreaties, and that they had ſolemnly engaged to ſupport their ſovereign in the management of it. They were acquainted with the difficulty of military en-

terpriſes, directed againſt the whole houſe of Auſtria; againſt the king of Spain, poſſeſſed of the greateſt riches and moſt extenſive dominions of any prince in Europe; againſt the emperor Ferdinand, hitherto the moſt fortunate monarch of his age, who had ſubdued and aſtoniſhed Germany by the rapidity of his victories. Deep impreſſions they ſaw muſt be made by the Engliſh ſword, and a vigorous offenſive war be waged againſt theſe mighty potentates, ere they would reſign a principality which they had now fully ſubdued, and which they held in ſecure poſſeſſion, by its being ſurrounded with all their other territories.

To anſwer, therefore, all theſe great and important ends; to ſatisfy their young king in the firſt requeſt which he made them; to prove their ſenſe of the many royal virtues, particularly economy, with which Charles was endowed; the houſe of commons, conducted by the wiſeſt and ableſt ſenators that had ever flouriſhed in England, thought proper to confer on the king a ſupply of two ſubſidies, amounting to one million twelve hundred thouſand pounds.[b]

This meaſure, which diſcovers rather a cruel mockery of Charles than any ſerious deſign of ſupporting him, appears ſo extraordinary, when conſidered in all its circumſtances, that it naturally ſummons up our attention, and raiſes an inquiry concerning the cauſes of a conduct unprecedented in an Engliſh parliament. So numerous an aſſembly, compoſed of perſons of various diſpoſitions, was not, it is probable, wholly influenced by the ſame motives; and few declared openly their true reaſon. We ſhall therefore approach nearer to the truth if we mention all the views which the preſent conjuncture could ſuggeſt to them.

It is not to be doubted but ſpleen and ill-will againſt the duke of Buckingham had an influence with many. So vaſt and rapid a fortune, ſo little merited, could not fail to excite public envy;

and, however men's hatred might have been ſuſpended for a moment, while the duke's conduct ſeemed to gratify their paſſions and their prejudices, it was impoſſible for him long to preſerve the affections of the people. His influence over the modeſty of Charles exceeded even that which he had acquired over the weakneſs of James; nor was any public meaſure conducted but by his counſel and direction. His vehement temper prompted him to raiſe ſuddenly to the higheſt elevation his flatterers and dependents; and, upon the leaſt occaſion of diſpleaſure, he threw them down with equal impetuoſity and violence. Implacable in his hatred, fickle in his friendſhips, all men were either regarded as his enemies, or dreaded ſoon to become ſuch. The whole power of the kingdom was graſped by his inſatiable hand; while he both engroſſed the entire confidence of his maſter, and held, inveſted in his ſingle perſon, the moſt conſiderable offices of the crown.

However the ill humour of the commons might have been increaſed by theſe conſiderations, we are not to ſuppoſe them the ſole motives. The laſt parliament of James, amidſt all their joy and feſtivity, had given him a ſupply very diſproportioned to his demand and to the occaſion. And, as every houſe of commons, which was elected during forty years, ſucceeded to all the paſſions and principles of their predeceſſors, we ought rather to account for this obſtinacy from the general ſituation of the kingdom during that whole period than from any circumſtances which attended this particular conjuncture.

The nation was very little accuſtomed at that time to the burden of taxes, and had never opened their purſes in any degree for ſupporting their ſovereign. Even Elizabeth, notwithſtanding her vigour and frugality, and the neceſſary wars in which ſhe was engaged, had reaſon to complain of the commons in this particular; nor could the authority of that princeſs, which

was otherwiſe almoſt abſolute, ever extort from them the requiſite ſupplies. Habits, more than reaſon, we find in every thing to be the governing principle of mankind. In this view likewiſe the ſinking of the value of ſubſidies muſt be conſidered as a loſs to the king. The parliament, ſwayed by cuſtom, would not augment their number in the ſame proportion.

The puritanical party, though diſguiſed, had a great authority over the kingdom; and many of the leaders among the commons had ſecretly embraced the rigid tenets of that ſect. All theſe were diſguſted with the court, both by the prevalence of the principles of civil liberty eſſential to their party, and on account of the reſtraint under which they were held by the eſtabliſhed hierarchy. In order to fortify himſelf againſt the reſentment of James, Buckingham had affected popularity, and entered into the cabals of the puritans; but, being ſecure of the confidence of Charles, he had ſince abandoned this party, and on that account was the more expoſed to their hatred and reſentment. Though the religious ſchemes of many of the puritans, when explained, appear pretty frivolous, we are not thence to imagine that they were purſued by none but perſons of weak underſtandings. Some men, of the greateſt parts and moſt extenſive knowledge that the nation at this time produced, could not enjoy any peace of mind, becauſe obliged to hear prayers offered up to the Divinity by a prieſt covered with a white linen veſtment.

The match with France, and the articles in favour of catholics, which were ſuſpected to be in the treaty, were likewiſe cauſes of diſguſt to this whole party; though it muſt be remarked that the connexions with that crown were much leſs obnoxious to the proteſtants, and leſs agreeable to the catholics, than the alliance formerly projected with Spain, and were therefore received rather with pleaſure than diſſatisfaction.

To all theſe cauſes we muſt yet add another of conſiderable moment. The houſe of commons, we may obſerve, was almoſt entirely governed by a ſet of men of the moſt uncommon capacity and the largeſt views: men who were now formed into a regular party; and united, as well by fixed aims and projects, as by the hardſhips which ſome of them had undergone in proſecution of them. Among theſe we may mention the names of ſir Edward Coke, ſir Edwin Sandys, ſir Robert Philips, ſir Francis Seymour, ſir Dudley Digges, ſir John Elliot, ſir Thomas Wentworth, Mr. Selden, and Mr. Pym. Animated with a warm regard to liberty, theſe generous patriots ſaw with regret an unbounded power exerciſed by the crown, and were reſolved to ſeize the opportunity, which the king's neceſſities offered them, of reducing the prerogative within more reaſonable compaſs. Though their anceſtors had blindly given way to practices and precedents favourable to kingly power, and had been able notwithſtanding to preſerve ſome ſmall remains of liberty, it would be impoſſible, they thought, when all theſe pretenſions were methodized and proſecuted by the increaſing knowledge of the age, to maintain any ſhadow of popular government in oppoſition to ſuch unlimited authority in the ſovereign. It was neceſſary to fix a choice; either to abandon entirely the privileges of the people, or to ſecure them by firmer and more preciſe barriers than the conſtitution had hitherto provided for them. In this dilemma, men of ſuch aſpiring geniuſes and ſuch independent fortunes could not long deliberate; they boldly embraced the ſide of freedom, and reſolved to grant no ſupplies to their neceſſitous prince without extorting conceſſions in favour of civil liberty. The end they eſteemed beneficent and noble; the means regular and conſtitutional. To grant or refuſe ſupplies was the undoubted privilege of the commons. And, as all human governments, particularly thoſe of a mixed frame,

are in continual fluctuation, it was as natural in their opinion, and allowable, for popular aſſemblies to take advantage of favourable incidents, in order to ſecure the ſubject, as for monarchs, in order to extend their own authority. With pleaſure they beheld the king involved in a foreign war, which rendered him every day more dependent on the parliament; while at the ſame time the ſituation of the kingdom, even without any military preparations, gave it ſufficient ſecurity againſt all invaſion from foreigners. Perhaps, too, it had partly proceeded from expectations of this nature, that the popular leaders had been ſo urgent for a rupture with Spain; nor is it credible that religious zeal could ſo far have blinded all of them as to make them diſcover in ſuch a meaſure any appearance of neceſſity, or any hopes of ſucceſs.

But, however natural all theſe ſentiments might appear to the country party, it is not to be imagined that Charles would entertain the ſame ideas. Strongly prejudiced in favour of the duke, whom he had heard ſo highly extolled in parliament, he could not conjecture the cauſe of ſo ſudden an alteration in their opinions. And, when the war, which they themſelves had ſo earneſtly ſolicited, was at laſt commenced, the immediate deſertion of their ſovereign could not but ſeem very unaccountable. Even though no farther motive had been ſuſpected, the refuſal of ſupply in ſuch circumſtances would naturally to him appear cruel and deceitful: but, when he perceived that this meaſure proceeded from an intention of encroaching on his authority, he failed not to regard theſe claims as highly criminal and traitorous. Thoſe lofty ideas of monarchical power, which were very commonly adopted during that age, and to which the ambiguous nature of the Engliſh conſtitution gave ſo plauſible an appearance, were firmly riveted in Charles; and, however moderate his temper, the natural and unavoidable prepoſſeſſions

of ſelf-love, joined to the late uniform precedents in favour of prerogative, had made him regard his political tenets as certain and uncontroverted. Taught to conſider even the ancient laws and conſtitution more as lines to direct his conduct than barriers to withſtand his power, a conſpiracy to erect new ramparts in order to ſtraiten his authority appeared but one degree removed from open ſedition and rebellion. So atrocious in his eyes was ſuch a deſign, that he ſeems even unwilling to impute it to the commons; and, though he was conſtrained to adjourn the parliament by reaſon of the plague, which at that time raged in London, he immediately reaſſembled them at Oxford, and made a new attempt to gain from them ſome ſupplies in ſuch an urgent neceſſity.

PARLIAMENT AT OXFORD.

CHARLES now found himſelf obliged to depart from that delicacy which he had formerly maintained. By himſelf or his miniſters, he entered into a particular detail both of the alliances which he had formed, and of the military operations which he had projected.[c] He told the parliament that, by a promiſe of ſubſidies, he had engaged the king of Denmark to take part in the war; that this monarch intended to enter Germany by the north, and to rouſe to arms thoſe princes who impatiently longed for an opportunity of aſſerting the liberty of the empire; that Mansfeldt had undertaken to penetrate with an Engliſh army into the Palatinate, and by that quarter to excite the members of the evangelical union; that the States muſt be ſupported in the unequal warfare which they maintained with Spain; that no leſs a ſum than ſeven hundred thouſand pounds a year had been found, by computation, requiſite for all theſe purpoſes; that the maintenance of the fleet, and the defence of Ireland, demanded an annual expenſe of four hundred thouſand pounds; that he

himſelf had already exhauſted and anticipated in the public ſervice his whole revenue, and had ſcarcely left ſufficient for the daily ſubſiſtence of himſelf and his family;[d] that on his acceſſion to the crown he found a debt of above three hundred thouſand pounds, contracted by his father in ſupport of the palatine; and that, while prince of Wales, he had himſelf contracted debts, notwithſtanding his great frugality, to the amount of ſeventy thouſand pounds, which he had expended entirely on naval and military armaments. After mentioning all theſe facts, the king even condeſcended to uſe entreaties. He ſaid that this requeſt was the firſt that he had ever made them; that he was young, and in the commencement of his reign; and, if he now met with kind and dutiful uſage, it would endear to him the uſe of parliaments, and would for ever preſerve an entire harmony between him and his people.[e]

To theſe reaſons the commons remained inexorable. Notwithſtanding that the king's meaſures, on the ſuppoſition of a foreign war, which they had conſtantly demanded, were altogether unexceptionable, they obſtinately refuſed any farther aid. Some members, favourable to the court, having inſiſted on an addition of two fifteenths to the former ſupply, even this pittance was refuſed,[f] though it was known that a fleet and army were lying at Portſmouth in great want of pay and proviſions; and that Buckingham the admiral, and the treaſurer of the navy, had advanced on their own credit near a hundred thouſand pounds for the ſea ſervice.[g] Beſides all their other motives, the houſe of commons had made a diſcovery which, as they wanted but a pretence for their refuſal, inflamed them againſt the court and againſt the duke of Buckingham.

When James deſerted the Spaniſh alliance, and courted that of France, he had promiſed to furniſh Lewis, who was entirely deſtitute of naval force, with one ſhip of war, together with

ſeven armed veſſels hired from the merchants. Theſe the French court had pretended they would employ againſt the Genoeſe; who, being firm and uſeful allies to the Spaniſh monarchy, were naturally regarded with an evil eye both by the king of France and of England. When theſe veſſels by Charles's orders arrived at Diepe, there aroſe a ſtrong ſuſpicion that they were to ſerve againſt Rochelle. The ſailors were inflamed. That race of men, who are at preſent both careleſs and ignorant in all matters of religion, were at that time only ignorant. They drew up a remonſtrance to Pennington, their commander; and, ſigning all their names in a circle, leſt he ſhould diſcover the ringleaders, they laid it under his prayer-book. Pennington declared that he would rather be hanged in England for diſobedience than fight againſt his brother proteſtants in France. The whole ſquadron ſailed immediately to the Downs. There they received new orders from Buckingham, lord admiral, to return to Diepe. As the duke knew that authority alone would not ſuffice, he employed much art and many ſubtilties to engage them to obedience; and a rumour which was ſpread, that peace had been concluded between the French king and the hugonots, aſſiſted him in his purpoſe. When they arrived at Diepe they found that they had been deceived. Sir Ferdinando Gorges, who commanded one of the veſſels, broke through and returned to England. All the officers and ſailors of all the other ſhips, notwithſtanding great offers made them by the French, immediately deſerted. One gunner alone preferred duty towards his king to the cauſe of religion; and he was afterwards killed in charging a cannon before Rochelle.[h] The care which hiſtorians have taken to record this frivolous event proves with what pleaſure the news was received by the nation.

The houſe of commons, when informed of theſe tranſactions, ſhewed the ſame attachment with the ſailors for the proteſtant

KING
PENNINGTON
HOLLES
BERKLEY
ALLEN
SCROGGS
PENN
SHELVFIELD

religion; nor was their zeal much better guided by reaſon and ſound policy. It was not conſidered that it was highly probable the king and the duke themſelves had here been deceived by the artifices of France, nor had they any hoſtile intention againſt the hugonots; that, were it otherwiſe, yet might their meaſures be juſtified by the moſt obvious and moſt received maxims of civil policy; that, if the force of Spain were really ſo exorbitant as the commons imagined, the French monarch was the only prince that could oppoſe its progreſs, and preſerve the balance of Europe; that his power was at preſent fettered by the hugonots, who, being poſſeſſed of many privileges and even of fortified towns, formed an empire within his empire, and kept him in perpetual jealouſy and inquietude; that an inſurrection had been at that time wantonly and voluntarily formed by their leaders, who, being diſguſted in ſome court intrigue, took advantage of the never-failing pretence of religion, in order to cover their rebellion; that the Dutch, influenced by theſe views, had ordered a ſquadron of twenty ſhips to join the French fleet, employed againſt the inhabitants of Rochelle;[1] that the Spaniſh monarch, ſenſible of the ſame conſequences, ſecretly ſupported the proteſtants in France; and that all princes had ever ſacrificed to reaſons of ſtate the intereſts of their religion in foreign countries. All theſe obvious conſiderations had no influence. Great murmurs and diſcontents ſtill prevailed in parliament. The hugonots, though they had no ground of complaint againſt the French court, were thought to be as much intitled to aſſiſtance from England as if they had taken arms in defence of their liberties and religion againſt the perſecuting rage of the catholics. And it plainly appears from this incident, as well as from many others, that, of all European nations, the Britiſh were at that time, and till long after, the moſt under the influence of that religious ſpirit which tends

rather to inflame bigotry than increaſe peace and mutual charity.

On this occaſion the commons renewed their eternal complaints againſt the growth of popery, which was ever the chief of their grievances, and now their only one.[k] They demanded a ſtrict execution of the penal laws againſt the catholics, and remonſtrated againſt ſome late pardons granted to prieſts.[l] They attacked Montague, one of the king's chaplains, on account of a moderate book which he had lately publiſhed, and which, to their great diſguſt, ſaved virtuous catholics, as well as other Chriſtians, from eternal torments.[m] Charles gave them a gracious and a compliant anſwer to all their remonſtrances. He was, however, in his heart, extremely averſe to theſe furious meaſures. Though a determined proteſtant by principle as well as inclination, he had entertained no violent horror againſt popery; and a little humanity, he thought, was due by the nation to the religion of their anceſtors. That degree of liberty which is now indulged to catholics, though a party much more obnoxious than during the reign of the Stuarts, it ſuited neither with Charles's ſentiments, nor the humour of the age, to allow them. An abatement of the more rigorous laws was all he intended; and his engagements with France, notwithſtanding that their regular execution had never been promiſed or expected, required of him ſome indulgence. But ſo unfortunate was this prince, that no meaſure embraced during his whole reign was ever attended with more unhappy and more fatal conſequences.

The extreme rage againſt popery was a ſure characteriſtic of puritaniſm. The houſe of commons diſcovered other infallible ſymptoms of the prevalence of that party. They petitioned the king for replacing ſuch able clergy as had been ſilenced for want of conformity to the ceremonies.[n] They alſo enacted laws for the ſtrict obſervance of Sunday, which the puritans affected to

call the ſabbath, and which they ſanctified by the moſt melancholy indolence.[o] It is to be remarked that the different appellations of this feſtival were at that time known ſymbols of the different parties.

The king, finding that the parliament was reſolved to grant him no ſupply, and would furniſh him with nothing but empty proteſtations of duty,[p] or diſagreeable complaints of grievances, took advantage of the plague,[q] which began to appear at Oxford, and on that pretence immediately diſſolved them. By finiſhing the ſeſſion with a diſſolution, inſtead of a prorogation, he ſufficiently expreſſed his diſpleaſure at their conduct.

NAVAL EXPEDITION AGAINST SPAIN.

To ſupply the want of parliamentary aids, Charles iſſued privy ſeals for borrowing money from his ſubjects.[r] The advantage reaped by this expedient was a ſmall compenſation for the diſguſt which it occaſioned: by means, however, of that ſupply, and by other expedients, he was, though with difficulty, enabled to equip his fleet. It conſiſted of eighty veſſels great and ſmall, and carried on board an army of ten thouſand men. Sir Edward Cecil, lately created viſcount Wimbleton, was intruſted with the command. He ſailed immediately for Cadiz, and found the bay full of Spaniſh ſhips of great value. He either neglected to attack theſe ſhips, or attempted it prepoſterouſly. The army was landed, and a fort taken; but the undiſciplined ſoldiers, finding ſtore of wine, could not be reſtrained from the utmoſt exceſſes. Farther ſtay appearing fruitleſs, they were reimbarked; and the fleet put to ſea with an intention of intercepting the Spaniſh galleons: but, the plague having ſeized the ſeamen and ſoldiers, they were obliged to abandon all hopes of this prize, and return to England. Loud complaints were made againſt the

court for intruſting ſo important a command to a man like Cecil, whom, though he poſſeſſed great experience, the people, judging by the event, eſteemed of ſlender capacity.[s]

SECOND PARLIAMENT. 1626.

CHARLES, having failed of ſo rich a prize, was obliged again to have recourſe to a parliament. Though the ill ſucceſs of his enterpriſes diminiſhed his authority, and ſhewed every day more plainly the imprudence of the Spaniſh war; though the increaſe of his neceſſities rendered him more dependent, and more expoſed to the encroachments of the commons; he was reſolved to try once more that regular and conſtitutional expedient for ſupply. Perhaps, too, a little political art, which at that time he practiſed, was much truſted to. He had named four popular leaders ſheriffs of counties; ſir Edward Coke, ſir Robert Philips, ſir Thomas Wentworth, and ſir Francis Seymour; and, though the queſtion had been formerly much conteſted,[t] he thought that he had by that means incapacitated them from being elected members. But his intention, being ſo evident, rather put the commons more upon their guard. Enow of patriots ſtill remained to keep up the ill humour of the houſe; and men needed but little inſtruction or rhetoric to recommend to them practices which increaſed their own importance and conſideration. The weakneſs of the court alſo could not more evidently appear than by its being reduced to uſe ſo ineffectual an expedient, in order to obtain an influence over the commons.

The views, therefore, of the laſt parliament were immediately adopted; as if the ſame men had been every where elected, and no time had intervened ſince their meeting. When the king laid before the houſe his neceſſities, and aſked for ſupply, they immediately voted him three ſubſidies and three fifteenths; and,

though they afterwards added one ſubſidy more, the ſum was little proportioned to the greatneſs of the occaſion, and ill fitted to promote thoſe views of ſucceſs and glory for which the young prince, in his firſt enterpriſe, ſo ardently longed. But this circumſtance was not the moſt diſagreeable one. The ſupply was only voted by the commons. The paſſing of that vote into a law was reſerved till the end of the ſeſſion:[u] a condition was thereby made, in a very undiſguiſed manner, with their ſovereign. Under colour of redreſſing grievances, which during this ſhort reign could not be very numerous, they were to proceed in regulating and controlling every part of government which diſpleaſed them: and, if the king either cut them ſhort in this undertaking, or refuſed compliance with their demands, he muſt not expect any ſupply from the commons. Great diſſatisfaction was expreſſed by Charles at a treatment which he deemed ſo harſh and undutiful.[x] But his urgent neceſſities obliged him to ſubmit; and he waited with patience, obſerving to what ſide they would turn themſelves.

IMPEACHMENT OF BUCKINGHAM.

THE duke of Buckingham, formerly obnoxious to the public, became every day more unpopular, by the ſymptoms which appeared both of his want of temper and prudence, and of the uncontrolled aſcendant[y] which he had acquired over his maſter. Two violent attacks he was obliged this ſeſſion to ſuſtain; one from the earl of Briſtol, another from the houſe of commons.

As long as James lived, Briſtol, ſecure of the concealed favour of that monarch, had expreſſed all duty and obedience; in expectation that an opportunity would offer of re-inſtating himſelf in his former credit and authority. Even after Charles's acceſſion he deſpaired not. He ſubmitted to the king's commands

of remaining at his country ſeat, and of abſenting himſelf from parliament. Many trials he made to regain the good opinion of his maſter; but, finding them all fruitleſs, and obſerving Charles to be entirely governed by Buckingham, his implacable enemy, he reſolved no longer to keep any meaſures with the court. A new ſpirit he ſaw, and a new power, ariſing in the nation; and to theſe he was determined for the future to truſt for his ſecurity and protection.

When the parliament was ſummoned, Charles, by a ſtretch of prerogative, had given orders that no writ, as is cuſtomary, ſhould be ſent to Briſtol.[z] That nobleman applied to the houſe of lords by petition; and craved their good offices with the king for obtaining what was his due as a peer of the realm. His writ was ſent him; but accompanied with a letter from the lord keeper, Coventry, commanding him in the king's name to abſent himſelf from parliament. This letter Briſtol conveyed to the lords, and aſked advice how to proceed in ſo delicate a ſituation.[a] The king's prohibition was withdrawn, and Briſtol took his ſeat. Provoked at theſe repeated inſtances of vigour, which the court denominated contumacy, Charles ordered his attorney-general to enter an accuſation of high treaſon againſt him. By way of recrimination, Briſtol accuſed Buckingham of high treaſon. Both the earl's defence of himſelf and accuſation of the duke remain;[b] and, together with ſome original letters ſtill extant, contain the fulleſt and moſt authentic account of all the negociations with the houſe of Auſtria. From the whole the great imprudence of the duke evidently appears, and the ſway of his ungovernable paſſions; but it would be difficult to collect thence any action which in the eye of the law could be deemed a crime, much leſs could ſubject him to the penalty of treaſon.

The impeachment of the commons was ſtill leſs dangerous to the duke, were it eſtimated by the ſtandard of law and equity.

The houſe, after having voted, upon ſome queries of Dr. Turner's, that 'common fame was a ſufficient ground of accuſation [c] by the commons,' proceeded to frame regular articles againſt Buckingham. They accuſed him of having united many offices in his perſon; of having bought two of them; of neglecting to guard the ſeas, inſomuch that many merchant ſhips had fallen into the hands of the enemy; of delivering ſhips to the French king, in order to ſerve againſt the hugonots; of being employed in the ſale of honours and offices; of accepting extenſive grants from the crown; of procuring many titles of honour for his kindred; and of adminiſtering phyſic to the late king without acquainting his phyſicians. All theſe articles appear, from comparing the accuſation and reply, to be either frivolous, or falſe, or both.[d] The only charge which could be regarded as important was, that he had extorted a ſum of ten thouſand pounds from the Eaſt India company, and that he had confiſcated ſome goods belonging to French merchants, on pretence of their being the property of Spaniſh. The impeachment never came to a full determination; ſo that it is difficult for us to give a deciſive opinion with regard to theſe articles: but it muſt be confeſſed that the duke's anſwer in theſe particulars, as in all the reſt, is ſo clear and ſatisfactory, that it is impoſſible to refuſe our aſſent to it. His faults and blemiſhes were in many reſpects very great; but rapacity and avarice were vices with which he was entirely unacquainted.

It is remarkable that the commons, though ſo much at a loſs to find articles of charge againſt Buckingham, never adopted Briſtol's accuſation, or impeached the duke for his conduct in the Spaniſh treaty, the moſt blameable circumſtance in his whole life. He had reaſon to believe the Spaniards ſincere in their profeſſions; yet, in order to gratify his private paſſions, he had hurried his maſter and his country into a war pernicious to the

intereſts of both. But ſo riveted throughout the nation were the prejudices with regard to Spaniſh deceit and falſehood, that very few of the commons ſeem as yet to have been convinced that they had been ſeduced by Buckingham's narrative: a certain proof that a diſcovery of this nature was not, as is imagined by ſeveral hiſtorians, the cauſe of ſo ſudden and ſurpriſing a variation in the meaſures of the parliament.[e]

While the commons were thus warmly engaged againſt Buckingham the king ſeemed deſirous of embracing every opportunity by which he could expreſs a contempt and diſregard for them. No one was at that time ſufficiently ſenſible of the great weight which the commons bore in the balance of the conſtitution. The hiſtory of England had never hitherto afforded one inſtance where any great movement or revolution had proceeded from the lower houſe. And, as their rank, both conſidered in a body and as individuals, was but the ſecond in the kingdom, nothing leſs than fatal experience could engage the Engliſh princes to pay a due regard to the inclinations of that formidable aſſembly.

The earl of Suffolk, chancellor of the univerſity of Cambridge, dying about this time, Buckingham, though lying under impeachment, was yet, by means of court intereſt, choſen in his place. The commons reſented and loudly complained of this affront; and, the more to enrage them, the king himſelf wrote a letter to the univerſity, extolling the duke, and giving them thanks for his election.[f]

The lord keeper, in the king's name, expreſsly commanded the houſe not to meddle with his miniſter and ſervant Buckingham; and ordered them to finiſh, in a few days, the bill which they had begun for the ſubſidies, and to make ſome addition to them; otherwiſe they muſt not expect to ſit any longer.[g] And, though theſe harſh commands were endeavoured to be explained

and mollified a few days after,[h] by a ſpeech of Buckingham's, they failed not to leave a diſagreeable impreſſion behind them.

Beſides a more ſtately ſtyle, which Charles in general affected to this parliament than to the laſt, he went ſo far, in a meſſage, as to threaten the commons that, if they did not furniſh him with ſupplies, he ſhould be obliged to try new counſels. This language was ſufficiently clear: yet, leſt any ambiguity ſhould remain, ſir Dudley Carleton, vice-chamberlain, took care to explain it. 'I pray you, conſider,' ſaid he, 'what theſe new counſels are or may be. I fear to declare thoſe that I conceive. In all Chriſtian kingdoms you know that parliaments were in uſe anciently, by which thoſe kingdoms were governed in a moſt flouriſhing manner, until the monarchs began to know their own ſtrength; and, ſeeing the turbulent ſpirit of their parliaments, at length they, by little and little, began to ſtand on their prerogatives, and at laſt overthrew the parliaments throughout Chriſtendom, except here only with us. Let us be careful then to preſerve the king's good opinion of parliaments, which bringeth ſuch happineſs to this nation, and makes us envied of all others, while there is this ſweetneſs between his majeſty and the commons; leſt we loſe the repute of a free people by our turbulency[i] in parliament.' Theſe imprudent ſuggeſtions rather gave warning than ſtruck terror. A precarious liberty, the commons thought, which was to be preſerved by unlimited complaiſance, was no liberty at all. And it was neceſſary, while yet in their power, to ſecure the conſtitution by ſuch invincible barriers, that no king or miniſter ſhould ever, for the future, dare to ſpeak ſuch a language to any parliament, or even entertain ſuch a project againſt them.

Two members of the houſe, ſir Dudley Digges and ſir John Elliott, who had been employed as managers of the impeachment againſt the duke, were thrown into priſon.[k] The commons

immediately declared that they would proceed no farther upon buſineſs till they had ſatisfaction in their privileges. Charles alledged, as the reaſon of this meaſure, certain ſeditious expreſſions, which, he ſaid, had, in their accuſation of the duke, dropped from theſe members. Upon inquiry it appeared that no ſuch expreſſions had been uſed.[l] The members were releaſed; and the king reaped no other benefit from this attempt than to exaſperate the houſe ſtill farther, and to ſhew ſome degree of precipitancy and indiſcretion.

Moved by this example, the houſe of peers were rouſed from their inactivity; and claimed liberty for the earl of Arundel, who had been lately confined in the tower. After many fruitleſs evaſions, the king, though ſomewhat ungracefully, was at laſt obliged to comply.[m] And in this incident it ſufficiently appeared that the lords, however little inclined to popular courſes, were not wanting in a juſt ſenſe of their own dignity.

The ill humour of the commons, thus wantonly irritated by the court, and finding no gratification in the legal impeachment of Buckingham, ſought other objects on which it might exert itſelf. The never-failing cry of popery here ſerved them in ſtead. They again claimed the execution of the penal laws againſt catholics; and they preſented to the king a liſt of perſons intruſted with offices, moſt of them inſignificant, who were either convicted or ſuſpected recuſants.[n] In this particular they had, perhaps, ſome reaſon to blame the king's conduct. He had promiſed to the laſt houſe of commons a redreſs of this religious grievance: but he was apt, in imitation of his father, to imagine that the parliament, when they failed of ſupplying his neceſſities, had, on their part, freed him from the obligation of a ſtrict performance. A new odium, likewiſe, by theſe repreſentations was attempted to be thrown upon Buckingham. His mother, who had great influence over him, was a profeſſed catholic; his

wife was not free from ſuſpicion; and the indulgence given to catholics was of courſe ſuppoſed to proceed entirely from his credit and authority. So violent was the bigotry of the times, that it was thought a ſufficient reaſon for diſqualifying any one from holding an office that his wife, or relations, or companions, were papiſts, though he himſelf were a conformiſt.[o]

It is remarkable that perſecution was here chiefly puſhed on by laymen, and that the church was willing to have granted more liberty than would be allowed by the commons. The reconciling doctrines likewiſe of Montague failed not anew to meet with ſevere cenſures from that zealous aſſembly.[p]

The next attack made by the commons, had it prevailed, would have proved deciſive. They were preparing a remonſtrance againſt the levying of tonnage and poundage without conſent of parliament. This article, together with the new impoſitions laid on merchandiſe by James, conſtituted near half of the crown revenues; and, by depriving the king of theſe reſources, they would have reduced him to total ſubjection and dependence. While they retained ſuch a pledge, beſides the ſupply already promiſed, they were ſure that nothing could be refuſed them. Though, after canvaſſing the matter near three months, they found themſelves utterly incapable of fixing any legal crime upon the duke, they regarded him as a very unable and even dangerous miniſter; and they intended to preſent a petition, which would then have been equivalent to a command, for removing him from his majeſty's perſon and councils.[q]

The king was alarmed at the yoke which he ſaw prepared for him. Buckingham's ſole guilt, he thought, was the being his friend and favourite:[r] all the other complaints againſt him were mere pretences: a little before he was the idol of the people: no new crime had ſince been diſcovered: after the moſt diligent inquiry, prompted by the greateſt malice, the ſmalleſt appearance

of guilt could not be fixed upon him. What idea, he aſked, muſt all mankind entertain of his honour, ſhould he ſacrifice his innocent friend to pecuniary conſiderations? What farther authority ſhould he retain in the nation, were he capable, in the beginning of his reign, to give, in ſo ſignal an inſtance, ſuch matter of triumph to his enemies, and diſcouragement to his adherents? To-day the commons pretend to wreſt his miniſter from him; to-morrow they will attack ſome branch of his prerogative. By their remonſtrances, and promiſes, and proteſtations, they had engaged the crown in a war. As ſoon as they ſaw a retreat impoſſible, without waiting for new incidents, without covering themſelves with new pretences, they immediately deſerted him, and refuſed him all reaſonable ſupply. It was evident that they deſired nothing ſo much as to ſee him plunged in inextricable difficulties, of which they intended to take advantage. To ſuch deep perfidy, to ſuch unbounded uſurpations, it was neceſſary to oppoſe a proper firmneſs and reſolution. All encroachments on ſupreme power could only be reſiſted ſucceſsfully on the firſt attempt. The ſovereign authority was, with ſome difficulty, reduced from its ancient and legal height; but, when once puſhed downwards, it ſoon became contemptible, and would eaſily, by the continuance of the ſame effort, now encouraged by ſucceſs, be carried to the loweſt extremity.

Prompted by theſe plauſible motives, Charles was determined immediately to diſſolve the parliament. When this reſolution was known, the houſe of peers, whoſe compliant behaviour entitled them to ſome authority with him, endeavoured to interpoſe;' and they petitioned him that he would allow the parliament to ſit ſome time longer. 'Not a moment longer,' cried the king haſtily;' and he ſoon after ended the ſeſſion by a diſſolution.

As this meaſure was foreſeen, the commons took care to finiſh and diſperſe their remonſtrance, which they intended as a juſti-

fication of their conduct to the people. The king likewiſe, on his part, publiſhed a declaration, in which he gave the reaſons of his diſagreement with the parliament, and of their ſudden diſſolution before they had time to conclude any one act.[n] Theſe papers furniſhed the partiſans on both ſides with ample matter of apology or of recrimination. But all impartial men judged that the commons, though they had not as yet violated any law, yet, by their unpliableneſs and independence, were inſenſibly changing, perhaps improving, the ſpirit and genius, while they preſerved the forms of the conſtitution; and that the king was acting altogether without any plan; running on in a road ſurrounded on all ſides with the moſt dangerous precipices, and concerting no proper meaſures either for ſubmitting to the obſtinacy of the commons, or for ſubduing it.

After a breach with the parliament, which ſeemed ſo difficult to repair, the only rational counſel which Charles could purſue was immediately to conclude a peace with Spain, and to render himſelf, as far as poſſible, independent of his people, who diſcovered ſo little inclination to ſupport him, or rather who ſeem to have formed a determined reſolution to abridge his authority. Nothing could be more eaſy in the execution than this meaſure, nor more agreeable to his own and to national intereſt. But, beſides the treaties and engagements which he had entered into with Holland and Denmark, the king's thoughts were at this time averſe to pacific counſels. There are two circumſtances in Charles's character, ſeemingly incompatible, which attended him during the whole courſe of his reign, and were in part the cauſe of his misfortunes: he was very ſteady, and even obſtinate, in his purpoſe; and he was eaſily governed, by reaſon of his facility, and of his deference to men much inferior to himſelf both in morals and underſtanding. His great ends he inflexibly maintained; but the means of attaining them he readily received from

his miniſters and favourites, though not always fortunate in his choice. The violent, impetuous Buckingham, inflamed with a deſire of revenge for injuries which he himſelf had committed, and animated with a love of glory which he had not talents to merit, had at this time, notwithſtanding his profuſe licentious life, acquired an invincible aſcendant over the virtuous and gentle temper of the king.

VIOLENT MEASURES OF THE COURT.

THE new counſels, which Charles had mentioned to the parliament, were now to be tried, in order to ſupply his neceſſities. Had he poſſeſſed any military force, on which he could rely, it is not improbable that he had at once taken off the maſk, and governed without any regard to parliamentary privileges: ſo high an idea had he received of kingly prerogative, and ſo contemptible a notion of the rights of thoſe popular aſſemblies, from which, he very naturally thought, he had met with ſuch ill uſage. But his army was new levied, ill paid, and worſe diſciplined; nowiſe ſuperior to the militia, who were much more numerous, and who were in a great meaſure under the influence of the country gentlemen. It behoved him therefore to proceed cautiouſly, and to cover his enterpriſes under the pretence of ancient precedents, which, conſidering the great authority commonly enjoyed by his predeceſſors, could not be wanting to him.

A commiſſion was openly granted to compound with the catholics, and agree for diſpenſing with the penal laws enacted againſt them.[x] By this expedient the king both filled his coffers, and gratified his inclination of giving indulgence to theſe religioniſts: but he could not have employed any branch of prerogative which would have been more diſagreeable, or would have appeared more exceptionable, to his proteſtant ſubjects.

From the nobility he defired affiftance; from the city he required a loan of one hundred thoufand pounds. The former contributed flowly; but the latter, covering themfelves under many pretences and excufes, gave him at laft a flat refufal.[y]

In order to equip a fleet, a diftribution, by order of council, was made to all the maritime towns; and each of them was required, with the affiftance of the adjacent counties, to arm fo many veffels as were appointed them.[z] The city of London was rated at twenty fhips. This is the firft appearance, in Charles's reign, of fhip-money; a taxation which had once been impofed by Elizabeth, but which afterwards, when carried fome fteps farther by Charles, created fuch violent difcontents.

Of fome loans were required;[a] to others the way of benevolence was propofed: methods fupported by precedent, but always invidious, even in times more fubmiffive and compliant. In the moft abfolute governments fuch expedients would be regarded as irregular and unequal.

Thefe counfels for fupply were conducted with fome moderation, till news arrived that a great battle was fought between the king of Denmark and count Tilly, the Imperial general; in which the former was totally defeated. Money now, more than ever, became neceffary, in order to repair fo great a breach in the alliance, and to fupport a prince who was fo nearly allied to Charles, and who had been engaged in the war chiefly by the intrigues, folicitations, and promifes, of the Englifh monarch. After fome deliberation, an act of council was paffed, importing that, as the urgency of affairs admitted not the way of parliament, the moft fpeedy, equal, and convenient, method of fupply was by a General Loan from the fubject, according as every man was affeffed in the rolls of the laft fubfidy. That precife fum was required which each would have paid had the vote of four fubfidies paffed into a law: but care was taken to inform the peo-

ple that the ſums exacted were not to be called ſubſidies, but loans.[b] Had any doubt remained whether forced loans, however authoriſed by precedent and even by ſtatute, were a violation of liberty, and muſt, by neceſſary conſequence, render all parliaments ſuperfluous, this was the proper expedient for opening the eyes of the whole nation. The example of Henry VIII, who had once, in his arbitrary reign, practiſed a like method of levying a regular ſupply, was generally deemed a very inſufficient authority.

The commiſſioners appointed to levy theſe loans, among other articles of ſecret inſtruction, were enjoined, 'If any ſhall refuſe to lend, and ſhall make delays or excuſes, and perſiſt in his obſtinacy, that they examine him upon oath, whether he has been dealt with to deny or refuſe to lend, or make an excuſe for not lending? Who has dealt with him, and what ſpeeches or perſuaſions were uſed to that purpoſe? And that they alſo ſhall charge every ſuch perſon, in his majeſty's name, upon his allegiance, not to diſcloſe to any one [c] what his anſwer was.' So violent an inquiſitorial power, ſo impracticable an attempt at ſecrecy, were the objects of indignation, and even in ſome degree of ridicule.

That religious prejudices might ſupport civil authority, ſermons were preached by Sibthorpe and Manwaring, in favour of the general loan; and the court induſtriouſly ſpread them over the kingdom. Paſſive obedience was there recommended in its full extent; the whole authority of the ſtate was repreſented as belonging to the king alone, and all limitations of law and a conſtitution were rejected as ſeditious and impious.[d] So openly was this doctrine eſpouſed by the court, that archbiſhop Abbot, a popular and virtuous prelate, was, becauſe he refuſed to licenſe Sibthorpe's ſermon, ſuſpended from the exerciſe of his office, baniſhed from London,[e] and confined to one of his country ſeats. Abbot's principles of liberty, and his oppoſition to Buckingham,

had always rendered him very ungracious at court, and had acquired him the character of a puritan. For it is remarkable that this party made the privileges of the nation as much a part of their religion as the church party did the prerogatives of the crown; and nothing tended farther to recommend among the people, who always take opinions in the lump, the whole ſyſtem and all the principles of the former ſect. The king ſoon found, by fatal experience, that this engine of religion, which with ſo little neceſſity was introduced into politics, falling under more fortunate management, was played with the moſt terrible ſucceſs againſt him.

While the king, inſtigated by anger and neceſſity, thus employed the whole extent of his prerogative, the ſpirit of the people was far from being ſubdued. Throughout England many refuſed theſe loans; ſome were even active in encouraging their neighbours to inſiſt upon their common rights and privileges. By warrant of the council theſe were thrown into priſon.[f] Moſt of them with patience ſubmitted to confinement, or applied by petition to the king, who commonly releaſed them. Five gentlemen alone, ſir Thomas Darnel, ſir John Corbet, ſir Walter Earl, ſir John Heveningham, and ſir Edmond Hambden, had ſpirit enough, at their own hazard and expenſe, to defend the public liberties, and to demand releaſement, not as a favour from the court, but as their due by the laws of their country.[g] No particular cauſe was aſſigned of their commitment. The ſpecial command alone of the king and council was pleaded; and it was aſſerted that, by law, this was not ſufficient reaſon for refuſing bail or releaſement to the priſoners.

This queſtion was brought to a ſolemn trial before the king's bench; and the whole kingdom was attentive to the iſſue of a cauſe which was of much greater conſequence than the event of many battles.

By the debates on this ſubject it appeared, beyond controverſy, to the nation, that their anceſtors had been ſo jealous of perſonal liberty as to ſecure it againſt arbitrary power in the crown by ſix [h] ſeveral ſtatutes, and by an article [i] of the Great Charter itſelf, the moſt ſacred foundation of the laws and conſtitution. But the kings of England, who had not been able to prevent the enacting of theſe laws, had ſufficient authority, when the tide of liberty was ſpent, to obſtruct their regular execution; and they deemed it ſuperfluous to attempt the formal repeal of ſtatutes which they found ſo many expedients and pretences to elude. Turbulent and ſeditious times frequently occurred, when the ſafety of the people abſolutely required the confinement of factious leaders; and, by the genius of the old conſtitution, the prince of himſelf was accuſtomed to aſſume every branch of prerogative, which was found neceſſary for the preſervation of public peace and of his own authority. Expediency at other times would cover itſelf under the appearance of neceſſity; and, in proportion as precedents multiplied, the will alone of the ſovereign was ſufficient to ſupply the place of expediency, of which he conſtituted himſelf the ſole judge. In an age and nation where the power of a turbulent nobility prevailed, and where the king had no ſettled military force, the only means that could maintain public peace was the exertion of ſuch prompt and diſcretionary powers in the crown; and the public itſelf had become ſo ſenſible of the neceſſity, that thoſe ancient laws in favour of perſonal liberty, while often violated, had never been challenged or revived during the courſe of near three centuries. Though rebellious ſubjects had frequently, in the open field, reſiſted the king's authority, no perſon had been found ſo bold, while confined and at mercy, as to ſet himſelf in oppoſition to regal power, and to claim the protection of the conſtitution againſt the will of the ſovereign. It was not till this age; when

the ſpirit of liberty was univerſally diffuſed; when the principles of government were nearly reduced to a ſyſtem; when the tempers of men, more civilized, ſeemed leſs to require thoſe violent exertions of prerogative; that theſe five gentlemen above mentioned, by a noble effort, ventured, in this national cauſe, to bring the queſtion to a final determination. And the king was aſtoniſhed to obſerve that a power, exerciſed by his predeceſſors almoſt without interruption, was found, upon trial, to be directly oppoſite to the cleareſt laws, and ſupported by few undoubted precedents in courts of judicature. Theſe had ſcarcely, in any inſtance, refuſed bail upon commitments by ſpecial command of the king; becauſe the perſons committed had ſeldom or never dared to demand it, at leaſt to inſiſt on their demand.

Sir Randolf Crew, chief juſtice, had been diſplaced, as unfit for the purpoſes of the court; ſir Nicholas Hyde, eſteemed more obſequious, had obtained that high office; yet the judges, by his direction, went no farther than to remand the gentlemen to priſon, and refuſe the bail which was offered.[k] Heathe, the attorney-general, inſiſted that the court, in imitation of the judges in the thirty-fourth of Elizabeth,[l] ſhould enter a general judgment, that no bail could be granted upon a commitment by the king or council.[m] But the judges wiſely declined complying. The nation, they ſaw, was already to the laſt degree exaſperated. In the preſent diſpoſition of men's minds univerſal complaints prevailed, as if the kingdom were reduced to ſlavery. And the moſt invidious prerogative of the crown, it was ſaid, that of impriſoning the ſubject, is here openly and ſolemnly, and in numerous inſtances, exerciſed for the moſt invidious purpoſe; in order to extort loans, or rather ſubſidies, without conſent of parliament.

But this was not the only hardſhip of which the nation then thought they had reaſon to complain. The army, which had

made the fruitleſs expedition to Cadiz, was diſperſed throughout the kingdom; and money was levied upon the counties for the payment of their quarters.[n]

The ſoldiers were billeted upon private houſes, contrary to cuſtom, which required that, in all ordinary caſes, they ſhould be quartered in inns and public houſes.[o]

Thoſe who had refuſed or delayed the loan were ſure to be loaded with a great number of theſe dangerous and diſorderly gueſts.

Many too, of low condition, who had ſhewn a refractory diſpoſition, were preſſed into the ſervice, and inliſted in the fleet or army.[p] Sir Peter Hayman, for the ſame reaſon, was diſpatched on an errand to the Palatinate.[q] Glanville, an eminent lawyer, had been obliged, during the former interval of parliament, to accept of an office in the navy.[r]

The ſoldiers, ill paid and undiſciplined, committed many crimes and outrages, and much increaſed the public diſcontents. To prevent theſe diſorders, martial law, ſo requiſite to the ſupport of diſcipline, was exerciſed upon the ſoldiers. By a contradiction, which is natural when the people are exaſperated, the outrages of the army were complained of; the remedy was thought ſtill more intolerable.[s] Though the expediency, if we are not rather to ſay the neceſſity, of martial law had formerly been deemed of itſelf a ſufficient ground for eſtabliſhing it, men, now become more jealous of liberty, and more refined reaſoners in queſtions of government, regarded as illegal and arbitrary every exerciſe of authority which was not ſupported by expreſs ſtatute or uninterrupted precedent.

It may ſafely be affirmed that, except a few courtiers or eccleſiaſtics, all men were diſpleaſed with this high exertion of prerogative, and this new ſpirit of adminiſtration. Though ancient precedents were pleaded in favour of the king's meaſures,

a conſiderable difference, upon compariſon, was obſerved between the caſes. Acts of power, however irregular, might caſually, and at intervals, be exerciſed by a prince for the ſake of diſpatch or expediency, and yet liberty ſtill ſubſiſt in ſome tolerable degree under his adminiſtration. But, where all theſe were reduced into a ſyſtem, were exerted without interruption, were ſtudiouſly ſought for, in order to ſupply the place of laws and ſubdue the refractory ſpirit of the nation, it was neceſſary to find ſome ſpeedy remedy, or finally to abandon all hopes of preſerving the freedom of the conſtitution. Nor did moderate men eſteem the provocation which the king had received, though great, ſufficient to warrant all theſe violent meaſures. The commons as yet had nowiſe invaded his authority; they had only exerciſed, as beſt pleaſed them, their own privileges. Was he juſtifiable, becauſe from one houſe of parliament he had met with harſh and unkind treatment, to make in revenge an invaſion on the rights and liberties of the whole nation?

WAR WITH FRANCE. 1627.

But great was at this time the ſurpriſe of all men, when Charles, baffled in every attempt againſt the Auſtrian dominions, embroiled with his own ſubjects, unſupplied with any treaſure but what he extorted by the moſt invidious and moſt dangerous meaſures; as if the half of Europe, now his enemy, were not ſufficient for the exerciſe of military proweſs; wantonly attacked France, the other great kingdom in his neighbourhood, and engaged at once in war againſt theſe two powers, whoſe intereſts were hitherto deemed ſo incompatible, that they could never, it was thought, agree either in the ſame friendſhips or enmities. All authentic memoirs, both foreign and domeſtic, aſcribe to Buckingham's counſels this war with France, and repreſent him

as actuated by motives which would appear incredible were we not acquainted with the violence and temerity of his character.

The three great monarchies of Europe were at this time ruled by young princes, Philip, Lewis, and Charles, who were nearly of the ſame age, and who had reſigned the government of themſelves, and of their kingdoms, to their creatures and miniſters, Olivarez, Richelieu, and Buckingham. The people, whom the moderate temper or narrow genius of their princes would have allowed to remain for ever in tranquillity, were ſtrongly agitated by the emulation and jealouſy of the miniſters. Above all, the towering ſpirit of Richelieu, incapable of reſt, promiſed an active age, and gave indications of great revolutions throughout all Europe.

This man had no ſooner, by ſuppleneſs and intrigue, gotten poſſeſſion of the reins of government, than he formed at once three mighty projects; to ſubdue the turbulent ſpirits of the great, to reduce the rebellious hugonots, and to curb the encroaching power of the houſe of Auſtria. Undaunted and implacable, prudent and active, he braved all the oppoſition of the French princes and nobles in the proſecution of his vengeance; he diſcovered and diſſipated all their ſecret cabals and conſpiracies: his ſovereign himſelf he held in ſubjection, while he exalted the throne. The people, while they loſt their liberties, acquired, by means of his adminiſtration, learning, order, diſcipline, and renown. That confuſed and inaccurate genius of government, of which France partook in common with other European kingdoms, he changed into a ſimple monarchy; at the very time when the incapacity of Buckingham encouraged the free ſpirit of the commons to eſtabliſh in England a regular ſyſtem of liberty.

However unequal the compariſon between theſe miniſters, Buckingham had entertained a mighty jealouſy againſt Riche-

lieu; a jealouſy not founded on rivalſhip of power and politics, but of love and gallantry; where the duke was as much ſuperior to the cardinal as he was inferior in every other particular.

At the time when Charles married by proxy the princeſs Henrietta, the duke of Buckingham had been ſent to France, in order to grace the nuptials, and conduct the new queen into England. The eyes of the French court were directed by curioſity towards that man, who had enjoyed the unlimited favour of two ſucceſſive monarchs, and who, from a private ſtation, had mounted in the earlieſt youth to the abſolute government of three kingdoms. The beauty of his perſon, the gracefulneſs of his air, the ſplendour of his equipage, his fine taſte in dreſs, feſtivals, and carouſals, correſponded to the prepoſſeſſions entertained in his favour: the affability of his behaviour, the gaiety of his manners, the magnificence of his expenſe, increaſed ſtill farther the general admiration which was paid him. All buſineſs being already concerted, the time was entirely ſpent in mirth and entertainments; and, during thoſe ſplendid ſcenes among that gay people, the duke found himſelf in a ſituation where he was perfectly qualified to excel.[t] But his great ſucceſs at Paris proved as fatal as his former failure at Madrid. Encouraged by the ſmiles of the court, he dared to carry his ambitious addreſſes to the queen herſelf; and he failed not to make impreſſion on a heart not undiſpoſed to the tender paſſions. That attachment, at leaſt of the mind, which appears ſo delicious, and is ſo dangerous, ſeems to have been encouraged by the princeſs; and the duke preſumed ſo far on her good graces, that, after his departure, he ſecretly returned upon ſome pretence, and, paying a viſit to the queen, was diſmiſſed with a reproof which favoured more of kindneſs than of anger.[u]

Information of this correſpondence was ſoon carried to Richelieu. The vigilance of that miniſter was here farther rouſed by

jealouſy. He too, either from vanity or politics, had ventured to pay his addreſſes to the queen. But a prieſt, paſt middle age, of a ſevere character, and occupied in the moſt extenſive plans of ambition or vengeance, was but an unequal match in that conteſt for a young courtier, entirely diſpoſed to gaiety and gallantry. The cardinal's diſappointment ſtrongly inclined him to counterwork the amorous projects of his rival. When the duke was making preparations for a new embaſſy to Paris a meſſage was ſent him from Lewis, that he muſt not think of ſuch a journey. In a romantic paſſion he ſwore that he would ſee the queen, in ſpite of all the power of France; and from that moment he determined to engage England in a war with that kingdom.[x]

He firſt took advantage of ſome quarrels excited by the queen of England's attendants; and he perſuaded Charles to diſmiſs at once all her French ſervants, contrary to the articles of the marriage treaty.[y] He encouraged the Engliſh ſhips of war and privateers to ſeize veſſels belonging to French merchants; and theſe he forthwith condemned as prizes, by a ſentence of the court of admiralty. But, finding that all theſe injuries produced only remonſtrances and embaſſies, or at moſt repriſals, on the part of France, he reſolved to ſecond the intrigues of the duke of Soubize, and to undertake at once a military expedition againſt that kingdom.

Soubize, who, with his brother the duke of Rohan, was the leader of the hugonot faction, was at that time in London, and ſtrongly ſolicited Charles to embrace the protection of theſe diſtreſſed religioniſts. He repreſented that after the inhabitants of Rochelle had been repreſſed by the combined ſquadrons of England and Holland, after peace was concluded with the French king under Charles's mediation, the ambitious cardinal was ſtill meditating the deſtruction of the hugonots; that preparations

were ſilently making in every province of France for the ſuppreſſion of their religion; that forts were erected in order to bridle Rochelle, the moſt conſiderable bulwark of the proteſtants; that the reformed in France caſt their eyes on Charles as the head of their faith, and conſidered him as a prince engaged by intereſt, as well as inclination, to ſupport them; that, ſo long as their party ſubſiſted, Charles might rely on their attachment as much as on that of his own ſubjects; but, if their liberties were once raviſhed from them, the power of France, freed from this impediment, would ſoon become formidable to England, and to all the neighbouring nations.

EXPEDITION TO THE ISLE OF RHE.

THOUGH Charles probably bore but ſmall favour to the hugonots, who ſo much reſembled the puritans in diſcipline and worſhip, in religion and politics, he yet allowed himſelf to be gained by theſe arguments, enforced by the ſolicitations of Buckingham. A fleet of a hundred ſail, and an army of ſeven thouſand men, were fitted out for the invaſion of France; and both of them entruſted to the command of the duke, who was altogether unacquainted both with land and ſea ſervice. The fleet appeared before Rochelle; but ſo ill-concerted were Buckingham's meaſures, that the inhabitants of that city ſhut their gates, and refuſed to admit allies, of whoſe coming they were not previouſly informed.[z] All his military operations ſhewed equal incapacity and inexperience. Inſtead of attacking Oleron, a fertile iſland and defenceleſs, he bent his courſe to the iſle of Rhe, which was well garriſoned and fortified. Having landed his men, though with ſome loſs, he followed not the blow; but allowed Toiras, the French governor, five days reſpite, during which St. Martin was victualled and provided for a ſiege.[a] He left behind him

the ſmall fort of Prie, which could at firſt have made no manner of reſiſtance. Though reſolved to ſtarve St. Martin, he guarded the ſea negligently, and allowed proviſions and ammunition to be thrown into it: deſpairing to reduce it by famine, he attacked it without having made any breach, and raſhly threw away the lives of the ſoldiers. Having found that a French army had ſtolen over in ſmall diviſions, and had landed at Prie, the fort which he had at firſt overlooked, he began to think of a retreat; but made it ſo unſkilfully, that it was equivalent to a total rout. He was the laſt of the army that embarked; and he returned to England, having loſt two thirds of his land forces; totally diſcredited both as an admiral and a general; and bringing no praiſe with him but the vulgar one of courage and perſonal bravery.

The duke of Rohan, who had taken arms as ſoon as Buckingham appeared upon the coaſt, diſcovered the dangerous ſpirit of the ſect, without being able to do any miſchief. The inhabitants of Rochelle, who had at laſt been induced to join the Engliſh, haſtened the vengeance of their maſter, exhauſted their proviſions in ſupplying their allies, and were threatened with an immediate ſiege. Such were the fruits of Buckingham's expedition againſt France.

CHAPTER LI.

CHARLES I.

THIRD PARLIAMENT.... PETITION OF RIGHT.... PROROGATION.... DEATH OF BUCKINGHAM.... NEW SESSION OF PARLIAMENT.... TONNAGE AND POUNDAGE.... ARMINIANISM.... DISSOLUTION OF THE PARLIAMENT.

THERE was reaſon to apprehend ſome diſorder or inſurrection from the diſcontents which prevailed among the people in England. Their liberties they believed were raviſhed from them; illegal taxes extorted; their commerce, which had met with a ſevere check from the Spaniſh, was totally annihilated by the French war; thoſe military honours, tranſmitted to them from their anceſtors, had received a grievous ſtain by two unſucceſsful and ill-conducted expeditions; ſcarce an illuſtrious family but mourned, from the laſt of them, the loſs of a ſon or brother; greater calamities were dreaded from the war with theſe powerful monarchies, concurring with the internal diſorders under which the nation laboured. And theſe ills were aſcribed, not to the refractory diſpoſition of the two former parliaments, to which they were partly owing; but ſolely to Charles's obſtinacy, in adhering to the counſels of Buckingham; a man nowiſe entitled, by his birth, age, ſervices, or merit, to that unlimited confidence

repoſed in him. To be ſacrificed to the intereſt, policy, and ambition of the great, is ſo much the common lot of the people, that they may appear unreaſonable who would pretend to complain of it; but to be the victim of the frivolous gallantry of a favourite, and of his boyiſh caprices, ſeemed the object of peculiar indignation.

THIRD PARLIAMENT. 1628.

In this ſituation it may be imagined the king and the duke dreaded above all things the aſſembling of a parliament; but ſo little foreſight had they poſſeſſed in their enterpriſing ſchemes, that they found themſelves under an abſolute neceſſity of embracing that expedient. The money levied, or rather extorted, under colour of prerogative, had come in very ſlowly, and had left ſuch ill humour in the nation, that it appeared dangerous to renew the experiment. The abſolute neceſſity of ſupply, it was hoped, would engage the commons to forget all paſt injuries; and, having experienced the ill effects of former obſtinacy, they would probably aſſemble with a reſolution of making ſome reaſonable compliances. The more to ſoften them, it was concerted, by ſir Robert Cotton's advice,[b] that Buckingham ſhould be the firſt perſon that propoſed in council the calling of a new parliament. Having laid in this ſtock of merit, he expected that all his former miſdemeanors would be overlooked and forgiven; and that, inſtead of a tyrant and oppreſſor, he ſhould be regarded as the firſt patriot in the nation.

The views of the popular leaders were much more judicious and profound. When the commons aſſembled they appeared to be men of the ſame independent ſpirit with their predeceſſors, and poſſeſſed of ſuch riches, that their property was computed to ſurpaſs three times that of the houſe of peers;[c] they were

deputed by boroughs and counties, inflamed all of them by the late violations of liberty; many of the members themſelves had been caſt into priſon, and had ſuffered by the meaſures of the court; yet, notwithſtanding theſe circumſtances, which might prompt them to embrace violent reſolutions, they entered upon buſineſs with perfect temper and decorum. They conſidered that the king, diſguſted at theſe popular aſſemblies, and little prepoſſeſſed in favour of their privileges, wanted but a fair pretence for breaking with them, and would ſeize the firſt opportunity offered by any incident, or any undutiful behaviour of the members. He fairly told them, in his firſt ſpeech, that, if they ſhould not do their duties, in contributing to the neceſſities of the ſtate, he muſt, in diſcharge of his conſcience, uſe thoſe other means which God had put into his hands, in order to ſave that which the follies of ſome particular men may otherwiſe put in danger. 'Take not this for a threatening,' added the king, 'for I ſcorn to threaten any but my equals; but as an admonition from him who, by nature and duty, has moſt care of your preſervation [d] and proſperity.' The lord keeper, by the king's direction, ſubjoined, 'This way of parliamentary ſupplies, as his majeſty told you, he hath choſen, not as the only way, but as the fitteſt; not becauſe he is deſtitute of others, but becauſe it is moſt agreeable to the goodneſs of his own moſt gracious diſpoſition, and to the deſire and weal of his people. If this be deferred, neceſſity and the ſword of the enemy make way for the others. Remember his majeſty's admonition; I ſay,[e] remember it.' From theſe avowed maxims the commons foreſaw that, if the leaſt handle were afforded, the king would immediately diſſolve them, and would thenceforward deem himſelf juſtified for violating, in a manner ſtill more open, all the ancient forms of the conſtitution. No remedy could then be looked for but from inſurrections and civil war, of which the iſſue would be

extremely uncertain, and which muſt, in all events, prove calamitous to the nation. To correct the late diſorders in the adminiſtration required ſome new laws, which would, no doubt, appear harſh to a prince ſo enamoured of his prerogative; and it was requiſite to temper, by the decency and moderation of their debates, the rigour which muſt neceſſarily attend their determinations. Nothing can give us a higher idea of the capacity of thoſe men who now guided the commons, and of the great authority which they had acquired, than the forming and executing of ſo judicious and ſo difficult a plan of operations.

The decency, however, which the popular leaders had preſcribed to themſelves, and recommended to others, hindered them not from making the loudeſt and moſt vigorous complaints againſt the grievances under which the nation had lately laboured. Sir Francis Seymour ſaid, 'This is the great council of the kingdom; and here with certainty, if not here only, his majeſty may ſee, as in a true glaſs, the ſtate of the kingdom. We are called hither by his writs, in order to give him faithful counſel, ſuch as may ſtand with his honour: and this we muſt do without flattery. We are alſo ſent hither by the people, in order to deliver their juſt grievances: and this we muſt do without fear. Let us not act like Cambyſes's judges, who, when their approbation was demanded by the prince to ſome illegal meaſure, ſaid that, though there was a written law, the Perſian kings might follow their own will and pleaſure. This was baſe flattery, fitter for our reproof than our imitation; and, as fear, ſo flattery taketh away the judgment. For my part, I ſhall ſhun both; and ſpeak my mind with as much duty as any man to his majeſty, without neglecting the public.

'But how can we expreſs our affections while we retain our fears; or ſpeak of giving, till we know whether we have any

thing to give? For, if his majeſty may be perſuaded to take what he will, what need we give?

'That this hath been done appeareth by the billeting of ſoldiers, a thing nowiſe advantageous to the king's ſervice, and a burden to the commonwealth; by the impriſonment of gentlemen for refuſing the loan, who, if they had done the contrary for fear, had been as blameable as the projectors of that oppreſſive meaſure. To countenance theſe proceedings, hath it not been preached in the pulpit, or rather prated, that all we have is the king's by divine right? But, when preachers forſake their own calling, and turn ignorant ſtateſmen, we ſee how willing they are to exchange a good conſcience for a biſhopric.

'He, I muſt confeſs, is no good ſubject, who would not willingly and cheerfully lay down his life, when that ſacrifice may promote the intereſts of his ſovereign and the good of the commonwealth. But he is not a good ſubject, he is a ſlave, who will allow his goods to be taken from him againſt his will, and his liberty againſt the laws of the kingdom. By oppoſing theſe practices we ſhall but tread in the ſteps of our forefathers, who ſtill preferred the public before their private intereſt, nay, before their very lives. It will in us be a wrong done to ourſelves, to our poſterities, to our conſciences, if we forego this claim [f] and pretenſion.'

'I read of a cuſtom,' ſaid ſir Robert Philips, 'among the old Romans, that once every year they held a ſolemn feſtival, in which their ſlaves had liberty, without exception, to ſpeak what they pleaſed, in order to eaſe their afflicted minds; and, on the concluſion of the feſtival, the ſlaves ſeverally returned to their former ſervitudes.

'This inſtitution may, with ſome diſtinction, well ſet forth our preſent ſtate and condition. After the revolution of ſome time, and the grievous ſufferance of many violent oppreſſions, we have

now at laſt, as thoſe ſlaves, obtained for a day ſome liberty of ſpeech; but ſhall not, I truſt, be hereafter ſlaves, for we are born free: yet what new illegal burdens our eſtates and perſons have groaned under my heart yearns to think of, my tongue faulters to utter.....

'The grievances by which we are oppreſſed I draw under two heads; acts of power againſt law, and the judgments of lawyers againſt our liberty.'

Having mentioned three illegal judgments paſſed within his memory; that by which the Scots, born after James's acceſſion, were admitted to all the privileges of Engliſh ſubjects; that by which the new impoſitions had been warranted; and the late one, by which arbitrary impriſonments were authoriſed; he thus proceeded:

'I can live, though another, who has no right, be put to live along with me; nay, I can live, though burdened with impoſitions beyond what at preſent I labour under: but to have my liberty, which is the ſoul of my life, raviſhed from me; to have my perſon pent up in a jail, without relief by law, and to be ſo adjudged!....O, improvident anceſtors! O, unwiſe forefathers! to be ſo curious in providing for the quiet poſſeſſion of our lands, and the liberties of parliament; and at the ſame time to neglect our perſonal liberty, and let us lie in priſon, and that during pleaſure, without redreſs or remedy! If this be law, why do we talk of liberties? Why trouble ourſelves with diſputes about a conſtitution, franchiſes, property of goods, and the like? What may any man call his own, if not the liberty of his perſon?

'I am weary of treading theſe ways; and therefore conclude to have a ſelect committee, in order to frame a petition to his majeſty for redreſs of theſe grievances: and this petition, being read, examined, and approved, may be delivered to the king;

of whoſe gracious anſwer we have no cauſe to doubt, our deſires being ſo reaſonable, our intentions ſo loyal, and the manner ſo dutiful. Neither need we fear that this is the critical parliament, as has been inſinuated; or that this is the way to diſtraction: but aſſure ourſelves of a happy iſſue. Then ſhall the king, as he calls us his great council, find us his true council, and own us [g] his good council.'

The ſame topics were enforced by ſir Thomas Wentworth. After mentioning projectors and ill miniſters of ſtate, 'Theſe,' ſaid he, 'have introduced a privy council, raviſhing at once the ſpheres of all ancient government, deſtroying all liberty, impriſoning us without bail or bond. They have taken from us..... What ſhall I ſay? Indeed, what have they left us? By tearing up the roots of all property, they have taken from us every means of ſupplying the king, and of ingratiating ourſelves by voluntary proofs of our duty and attachment towards him.

'To the making whole all theſe breaches I ſhall apply myſelf, and to all theſe diſeaſes ſhall propound a remedy. By one and the ſame thing have the king and the people been hurt, and by the ſame muſt they be cured. We muſt vindicate.... What? New things? No: our ancient, legal, and vital liberties; by reinforcing the laws enacted by our anceſtors; by ſetting ſuch a ſtamp upon them, that no licentious ſpirit ſhall dare henceforth to invade them. And ſhall we think this a way to break a parliament? No: our deſires are modeſt and juſt. I ſpeak both for the intereſt of king and people. If we enjoy not theſe rights it will be impoſſible for us to relieve him. Let us never, therefore, doubt of a favourable reception [h] from his goodneſs.'

Theſe ſentiments were unanimouſly embraced by the whole houſe. Even the court party pretended not to plead, in defence of the late meaſures, any thing but the neceſſity to which the

king had been reduced by the obſtinacy of the two former parliaments. A vote, therefore, was paſſed without oppoſition againſt arbitrary impriſonments and forced loans.[j] And, the ſpirit of liberty having obtained ſome contentment by this exertion, the reiterated meſſages of the king, who preſſed for ſupply, were attended to with more temper. Five ſubſidies were voted him; with which, though much inferior to his wants, he declared himſelf well ſatisfied; and even tears of affection ſtarted in his eye when he was informed of this conceſſion. The duke's approbation too was mentioned by ſecretary Coke; but the conjunction of a ſubject with the ſovereign was ill received by the houſe.[k] Though diſguſted with the king, the jealouſy which they felt for his honour was more ſenſible than that which his unbounded confidence in the duke would allow even himſelf to entertain.

PETITION OF RIGHT.

The ſupply, though voted, was not as yet paſſed into a law; and the commons reſolved to employ the interval in providing ſome barriers to their rights and liberties ſo lately violated. They knew that their own vote, declaring the illegality of the former meaſures, had not of itſelf ſufficient authority to ſecure the conſtitution againſt future invaſion. Some act to that purpoſe muſt receive the ſanction of the whole legiſlature; and they appointed a committee to prepare the model of ſo important a law. By collecting into one effort all the dangerous and oppreſſive claims of his prerogative, Charles had expoſed them to the hazard of one aſſault; and had farther, by preſenting a nearer view of the conſequences attending them, rouſed the independent genius of the commons. Forced loans, benevolences, taxes without conſent of parliament, arbitrary impriſonments, the billeting of ſoldiers, martial law; theſe were the grievances com-

plained of, and againſt theſe an eternal remedy was to be provided. The commons pretended not, as they affirmed, to any unuſual powers or privileges; they aimed only at ſecuring thoſe which had been tranſmitted them from their anceſtors: and their law they reſolved to call a Petition of Right; as implying that it contained a corroboration or explanation of the ancient conſtitution, not any infringement of royal prerogative, or acquiſition of new liberties.

While the committee was employed in framing the petition of right, the favourers of each party, both in parliament and throughout the nation, were engaged in diſputes about this bill, which, in all likelihood, was to form a memorable era in the Engliſh government.

'That the ſtatutes,' ſaid the partiſans of the commons, 'which ſecure Engliſh liberty, are not become obſolete, appears hence, that the Engliſh have ever been free, and have ever been governed by law and a limited conſtitution. Privileges, in particular, which are founded on the Great Charter, muſt always remain in force, becauſe derived from a ſource of never-failing authority, regarded in all ages as the moſt ſacred contract between king and people. Such attention was paid to this charter by our generous anceſtors, that they got the confirmation of it reiterated thirty ſeveral times; and even ſecured it by a rule, which, though vulgarly received, ſeems in the execution impracticable. They have eſtabliſhed it as a maxim, that even a ſtatute, which ſhould be enacted in contradiction to any article of that charter, cannot have force or validity. But, with regard to that important article which ſecures perſonal liberty; ſo far from attempting, at any time, any legal infringement of it, they have corroborated it by ſix ſtatutes, and put it out of all doubt and controverſy. If in practice it has often been violated, abuſes can never come in the place of rules; nor can any rights or

legal powers be derived from injury and injuſtice. But the title of the ſubject to perſonal liberty not only is founded on ancient, and therefore the more ſacred, laws; it is confirmed by the whole Analogy of the government and conſtitution. A free monarchy, in which every individual is a ſlave, is a glaring contradiction; and it is requiſite, where the laws aſſign privileges to the different orders of the ſtate, that it likewiſe ſecure the independence of the members. If any difference could be made in this particular, it were better to abandon even life or property to the arbitrary will of the prince; nor would ſuch immediate danger enſue, from that conceſſion, to the laws and to the privileges of the people. To bereave of his life a man not condemned by any legal trial, is ſo egregious an exerciſe of tyranny, that it muſt at once ſhock the natural humanity of princes, and convey an alarm throughout the whole commonwealth. To confiſcate a man's fortune, beſides its being a moſt atrocious act of violence, expoſes the monarch ſo much to the imputation of avarice and rapacity, that it will ſeldom be attempted in any civilized government. But confinement, though a leſs ſtriking, is no leſs ſevere a puniſhment; nor is there any ſpirit ſo erect and independent, as not to be broken by the long continuance of the ſilent and inglorious ſufferings of a jail. The power of impriſonment, therefore, being the moſt natural and potent engine of arbitrary government, it is abſolutely neceſſary to remove it from a government which is free and legal.'

The partiſans of the court reaſoned after a different manner. 'The rule of government,' ſaid they, 'during any period, is that to which the people, from time immemorial, have been accuſtomed, and to which they naturally pay a prompt obedience. A practice which has ever ſtruck their ſenſes, and of which they have ſeen and heard innumerable precedents, has an authority with them much ſuperior to that which attends maxims derived

from antiquated ſtatutes and mouldy records. In vain do the lawyers eſtabliſh it as a principle, that a ſtatute can never be abrogated by oppoſite cuſtom, but requires to be expreſsly repealed by a contrary ſtatute. While they pretend to inculcate an axiom peculiar to Engliſh juriſprudence, they violate the moſt eſtabliſhed principles of human nature; and even, by neceſſary conſequence, reaſon in contradiction to law itſelf, which they would repreſent as ſo ſacred and inviolable. A law, to have any authority, muſt be derived from a legiſlature which has right. And whence do all legiſlatures derive their right but from long cuſtom and eſtabliſhed practice? If a ſtatute, contrary to public good, has at any time been raſhly voted and aſſented to, either from the violence of faction or the inexperience of ſenates and princes, it cannot be more effectually abrogated than by a train of contrary precedents, which prove that, by common conſent, it has tacitly been ſet aſide as inconvenient and impracticable. Such has been the caſe with all thoſe ſtatutes enacted during turbulent times, in order to limit royal prerogative, and cramp the ſovereign in his protection of the public and his execution of the laws. But, above all branches of prerogative, that which is moſt neceſſary to be preſerved is the power of impriſonment. Faction and diſcontent, like diſeaſes, frequently ariſe in every political body; and, during theſe diſorders, it is by the ſalutary exerciſe alone of this diſcretionary power that rebellions and civil wars can be prevented. To circumſcribe this power is to deſtroy its nature; entirely to abrogate it is impracticable; and the attempt itſelf muſt prove dangerous, if not pernicious to the public. The ſupreme magiſtrate, in critical and turbulent times, will never, agreeably either to prudence or duty, allow the ſtate to periſh while there remains a remedy which, how irregular ſoever, it is ſtill in his power to apply. And, if, moved by a regard to public good, he employs any exerciſe of power con-

demned by recent and expreſs ſtatute, how greedily, in ſuch dangerous times, will factious leaders ſeize this pretence of throwing on his government the imputation of tyranny and deſpotiſm? Were the alternative quite neceſſary, it were ſurely much better for human ſociety to be deprived of liberty than to be deſtitute of government.'

Impartial reaſoners will confeſs that this ſubject is not, on both ſides, without its difficulties. Where a general and rigid law is enacted againſt arbitrary impriſonment, it would appear that government cannot, in times of ſedition and faction, be conducted but by temporary ſuſpenſions of the law; and ſuch an expedient was never thought of during the age of Charles. The meetings of parliament were too precarious, and their determinations might be too dilatory, to ſerve in caſes of urgent neceſſity. Nor was it then conceived that the king did not poſſeſs of himſelf ſufficient power for the ſecurity and protection of his people, or that the authority of theſe popular aſſemblies was ever to become ſo abſolute that the prince muſt always conform himſelf to it, and could never have any occaſion to guard againſt their practices, as well as againſt thoſe of his other ſubjects.

Though the houſe of lords was not inſenſible to the reaſons urged in favour of the pretenſions of the commons, they deemed the arguments pleaded in favour of the crown ſtill more cogent and convincing. That aſſembly ſeems, during this whole period, to have acted, in the main, a reaſonable and a moderate part; and, if their bias inclined a little too much, as is natural, to the ſide of monarchy, they were far from entertaining any deſign of ſacrificing to arbitrary will the liberties and privileges of the nation. Aſhley, the king's ſerjeant, having aſſerted, in a pleading before the peers, that the king muſt ſometimes govern by acts of ſtate as well as by law; this poſition gave ſuch of-

fence, that he was immediately committed to priſon, and was not releaſed but upon his recantation and ſubmiſſion.[l] Being, however, afraid leſt the commons ſhould go too far in their projected petition, the peers propoſed a plan of one more moderate, which they recommended to the conſideration of the other houſe. It conſiſted merely in a general declaration that the great charter, and the ſix ſtatutes conceived to be explanations of it, ſtand ſtill in force, to all intents and purpoſes; that, in conſequence of the charter and the ſtatutes, and by the tenor of the ancient cuſtoms and laws of the realm, every ſubject has a fundamental property in his goods, and a fundamental liberty of his perſon; that this property and liberty are as entire at preſent as during any former period of the Engliſh government; that, in all common caſes, the common law ought to be the ſtandard of proceedings: and, in caſe that, for the ſecurity of his majeſty's perſon, the general ſafety of his people, or the peaceable government of the kingdom, the king ſhall find juſt cauſe, for reaſons of ſtate, to impriſon or reſtrain any man's perſon, he was petitioned graciouſly to declare that, within a convenient time, he ſhall and will expreſs the cauſe of the commitment or reſtraint, either general or ſpecial; and, upon a cauſe ſo expreſſed, will leave the priſoner immediately to be tried according to the common law of the land.[m]

Archbiſhop Abbot was employed by the lords to recommend, in a conference, this plan of a petition to the houſe of commons. The prelate, as was, no doubt, foreſeen from his known principles, was not extremely urgent in his applications; and the lower houſe was fully convinced that the general declarations ſignified nothing, and that the latter clauſe left their liberties rather in a worſe condition than before. They proceeded, therefore, with great zeal in framing the model of a petition, which ſhould contain expreſſions more preciſe and more favourable to public freedom.

The king could eaſily ſee the conſequence of theſe proceedings. Though he had offered, at the beginning of the ſeſſion, to give his conſent to any law for the ſecurity of the rights and liberties of the people, he had not expected that ſuch inroads would be made on his prerogative. In order, therefore, to divert the commons from their intention, he ſent a meſſage, wherein he acknowledged paſt errors, and promiſed that hereafter there ſhould be no juſt cauſe of complaint. And he added, that the affairs of the kingdom preſs him ſo, that he could not continue the ſeſſion above a week or two longer: and, if the houſe be not ready by that time to do what is fit for themſelves, it ſhall be their own fault.[n] On a ſubſequent occaſion he aſked them, 'Why demand explanations, if you doubt not the performance of the ſtatutes, according to their true meaning? Explanations will hazard an encroachment upon the prerogative. And it may well be ſaid, what need a new law to confirm an old, if you repoſe confidence in the declarations [o] which his majeſty made to both houſes?' The truth is, the great charter and the old ſtatutes were ſufficiently clear in favour of perſonal liberty: but, as all kings of England had ever, in caſes of neceſſity or expediency, been accuſtomed at intervals to elude them; and as Charles, in a complication of inſtances, had lately violated them; the commons judged it requiſite to enact a new law, which might not be eluded or violated by any interpretation, conſtruction, or contrary precedent. Nor was it ſufficient, they thought, that the king promiſed to return into the way of his predeceſſors. His predeceſſors, in all times, had enjoyed too much diſcretionary power; and, by his recent abuſe of it, the whole world had reaſon to ſee the neceſſity of entirely retrenching it.

The king ſtill perſevered in his endeavours to elude the petition. He ſent a letter to the houſe of lords, in which he went

ſo far as to make a particular declaration, that neither he nor his privy council ſhall or will, at any time hereafter, commit or command to priſon, or otherwiſe reſtrain, any man for not lending money, or for any other cauſe which in his conſcience he thought not to concern the public good, and the ſafety of king and people. And he farther declared, that he never would be guilty of ſo baſe an action as to pretend any cauſe, of whoſe truth he was not fully ſatisfied.[p] But this promiſe, though enforced to the commons by the recommendation of the upper houſe, made no more impreſſion than all the former meſſages.

Among the other evaſions of the king we may reckon the propoſal of the houſe of peers to ſubjoin, to the intended petition of right, the following clauſe: 'We humbly preſent this petition to your majeſty, not only with a care of preſerving our own liberties, but with due regard to leave entire that ſovereign power with which your majeſty is intruſted for the protection, ſafety, and happineſs,[q] of your people.' Leſs penetration, than was poſſeſſed by the leaders of the houſe of commons, could eaſily diſcover how captious this clauſe was, and how much it was calculated to elude the whole force of the petition.

Theſe obſtacles, therefore, being ſurmounted, the petition of right paſſed the commons,[r] and was ſent to the upper houſe. The peers, who were probably well pleaſed in ſecret that all their ſolicitations had been eluded by the commons, quickly paſſed the petition without any material alteration; and nothing but the royal aſſent was wanting to give it the force of a law. The king accordingly came to the houſe of peers; ſent for the commons; and, being ſeated in his chair of ſtate, the petition was read to him. Great was now the aſtoniſhment of all men, when, inſtead of the uſual conciſe and clear form, by which a bill is either confirmed or rejected, Charles ſaid, in anſwer to the petition, 'The king willeth that right be done according to

the laws and cuſtoms of the realm, and that the ſtatutes be put into execution; that his ſubjects may have no cauſe to complain of any wrong or oppreſſion contrary to their juſt rights and liberties, to the preſervation whereof he holds himſelf in conſcience as much obliged ' as of his own prerogative.'

It is ſurpriſing that Charles, who had ſeen ſo many inſtances of the jealouſy of the commons, who had himſelf ſo much roufed that jealouſy by his frequent evaſive meſſages during this ſeſſion, could imagine that they would reſt ſatisfied with an anſwer ſo vague and undeterminate. It was evident that the unuſual form alone of the anſwer muſt excite their attention; that the diſappointment muſt inflame their anger; and that therefore it was neceſſary, as the petition ſeemed to bear hard on royal prerogative, to come early to ſome fixed reſolution, either gracefully to comply with it or courageouſly to reject it.

It happened as might have been foreſeen. The commons returned in very ill humour. Uſually, when in that diſpoſition, their zeal for religion, and their enmity againſt the unfortunate catholics, ran extremely high. But they had already, in the beginning of the ſeſſion, preſented their petition of religion, and had received a ſatisfactory anſwer; though they expected that the execution of the laws againſt papiſts would, for the future, be no more exact and rigid than they had hitherto found it. To give vent to their preſent indignation, they fell with their utmoſt force on Dr. Manwaring.

There is nothing which tends more to excuſe, if not to juſtify, the extreme rigour of the commons towards Charles, than his open encouragement and avowal of ſuch general principles as were altogether incompatible with a limited government. Manwaring had preached a ſermon, which the commons found, upon inquiry, to be printed by ſpecial command of the king;' and, when this ſermon was looked into, it contained doctrines ſub-

verſive of all civil liberty. It taught that, though property was commonly lodged in the ſubject, yet, whenever any exigency required ſupply, all property was transferred to the ſovereign; that the conſent of parliament was not neceſſary for the impoſition of taxes; and that the divine laws required compliance with every demand, how irregular ſoever, which the prince ſhould make upon his ſubjects.[a] For theſe doctrines the commons impeached Manwaring. The ſentence, pronounced upon him by the peers, was, that he ſhould be impriſoned during the pleaſure of the houſe, be fined a thouſand pounds to the king, make ſubmiſſion and acknowledgment of his offence, be ſuſpended during three years, be incapable of holding any eccleſiaſtical dignity or ſecular office, and that his book be called in and burnt.[x]

It may be worthy of notice, that no ſooner was the ſeſſion ended than this man, ſo juſtly obnoxious to both houſes, received a pardon, and was promoted to a living of conſiderable value.[y] Some years after he was raiſed to the ſee of St. Aſaph. If the republican ſpirit of the commons increaſed, beyond all reaſonable bounds, the monarchical ſpirit of the court, this latter, carried to ſo high a pitch, tended ſtill farther to augment the former. And thus extremes were every where affected, and the juſt medium was gradually deſerted by all men.

From Manwaring, the houſe of commons proceeded to cenſure the conduct of Buckingham, whoſe name hitherto they had cautiouſly forborn to mention.[z] In vain did the king ſend them a meſſage, in which he told them that the ſeſſion was drawing near to a concluſion; and deſired that they would not enter upon new buſineſs, nor caſt any aſperſions on his government and miniſtry.[a] Though the court endeavoured to explain and ſoften this meſſage by a ſubſequent meſſage[b] (as Charles was apt haſtily to correct any haſty ſtep which he had taken), it ſerved

rather to inflame than appeaſe the commons; as if the method of their proceedings had here been preſcribed to them. It was foreſeen that a great tempeſt was ready to burſt on the duke; and, in order to divert it, the king thought proper, upon a joint application of the lords and commons,[c] to endeavour giving them ſatisfaction with regard to the petition of right. He came therefore to the houſe of peers, and, pronouncing the uſual form of words, 'Let it be law as is deſired,' gave full ſanction and authority to the petition. The acclamations with which the houſe reſounded, and the univerſal joy diffuſed over the nation, ſhewed how much this petition had been the object of all men's vows and expectations.[d]

It may be affirmed, without any exaggeration, that the king's aſſent to the petition of right produced ſuch a change in the government as was almoſt equivalent to a revolution; and, by circumſcribing in ſo many articles the royal prerogative, gave additional ſecurity to the liberties of the ſubject. Yet were the commons far from being ſatisfied with this important conceſſion. Their ill humour had been ſo much irritated by the king's frequent evaſions and delays, that it could not be preſently appeaſed by an aſſent which he allowed to be ſo reluctantly extorted from him. Perhaps, too, the popular leaders, implacable and artful, ſaw the opportunity favourable; and, turning againſt the king thoſe very weapons with which he had furniſhed them, reſolved to purſue the victory. The bill, however, for five ſubſidies, which had been formerly voted, immediately paſſed the houſe, becauſe the granting of that ſupply was, in a manner, tacitly contracted for upon the royal aſſent to the petition; and, had faith been here violated, no farther confidence could have ſubſiſted between king and parliament. Having made this conceſſion, the commons continued to carry their ſcrutiny into every part of government. In ſome particu-

lars their induſtry was laudable; in ſome it may be liable to cenſure.

A little after writs were iſſued for ſummoning this parliament a commiſſion had been granted to ſir Thomas Coventry, lord keeper, the earl of Marlborough, treaſurer, the earl of Mancheſter, preſident of the council, the earl of Worceſter, privy ſeal, the duke of Buckingham, high admiral, and all the conſiderable officers of the crown; in the whole thirty-three. By this commiſſion, which, from the number of perſons named in it, could be no ſecret, the commiſſioners were empowered to meet and to concert among themſelves the methods of levying money by impoſitions, or otherwiſe; 'where form and circumſtance,' as expreſſed in the commiſſion, 'muſt be diſpenſed with, rather than the ſubſtance [e] be loſt or hazarded.' In other words, this was a ſcheme for finding expedients which might raiſe the prerogative to the greateſt height, and render parliaments entirely uſeleſs. The commons applied for cancelling [f] the commiſſion, and were, no doubt, deſirous that all the world ſhould conclude the king's principles to be extremely arbitrary, and ſhould obſerve what little regard he was diſpoſed to pay to the liberties and privileges of his people.

A commiſſion had likewiſe been granted, and ſome money remitted, in order to raiſe a thouſand German horſe, and tranſport them into England. Theſe were ſuppoſed to be levied in order to ſupport the projected impoſitions or exciſes, though the number ſeems inſufficient for ſuch a purpoſe.[g] The houſe took notice of this deſign in ſevere terms: and no meaſure, ſurely, could be projected more generally odious to the whole nation. It muſt, however, be confeſſed that the king was ſo far right, that he had now at laſt fallen on the only effectual method for ſupporting his prerogative. But at the ſame time he ſhould have been ſenſible that, till provided with a ſufficient mi-

litary force, all his attempts, in oppoſition to the riſing ſpirit of the nation, muſt, in the end, prove wholly fruitleſs; and that the higher he ſcrewed up the ſprings of government, while he had ſo little real power to retain them in that forced ſituation, with more fatal violence muſt they fly out when any accident occurred to reſtore them to their natural action.

The commons next reſumed their cenſure of Buckingham's conduct and behaviour, againſt whom they were implacable. They agreed to preſent a remonſtrance to the king, in which they recapitulated all national grievances and misfortunes, and omitted no circumſtance which could render the whole adminiſtration deſpicable and odious. The compoſitions with catholics, they ſaid, amounted to no leſs than a toleration hateful to God, full of diſhonour and diſprofit to his majeſty, and of extreme ſcandal and grief to his good people: they took notice of the violations of liberty above mentioned, againſt which the petition of right ſeems to have provided a ſufficient remedy: they mentioned the decay of trade, the unſucceſsful expeditions to Cadiz and the iſle of Rhe, the encouragement given to Arminians, the commiſſion for tranſporting German horſe, that for levying illegal impoſitions; and all theſe grievances they aſcribed ſolely to the ill conduct of the duke of Buckingham.[h] This remonſtrance was perhaps not the leſs provoking to Charles, becauſe, joined to the extreme acrimony of the ſubject, there were preſerved in it, as in moſt of the remonſtrances of that age, an affected civility and ſubmiſſion in the language. And, as it was the firſt return which he met with for his late beneficial conceſſions, and for his ſacrifices of prerogative, the greateſt by far ever made by an Engliſh ſovereign, nothing could be more the object of juſt and natural indignation.

PROROGATION.

It was not without good grounds that the commons were ſo fierce and aſſuming. Though they had already granted the king the ſupply of five ſubſidies, they ſtill retained a pledge in their hands, which they thought enſured them ſucceſs in all their applications. Tonnage and poundage had not yet been granted by parliament; and the commons had artfully, this ſeſſion, concealed their intention of invading that branch of revenue till the royal aſſent had been obtained to the petition of right, which they juſtly deemed of ſuch importance. They then openly aſſerted that the levying of tonnage and poundage, without conſent of parliament, was a palpable violation of the ancient liberties of the people, and an open infringement of the petition of right, ſo lately granted.[i] The king, in order to prevent the finiſhing and preſenting of this remonſtrance, came ſuddenly to the parliament, and ended this ſeſſion by a prorogation.[k]

Being freed for ſome time from the embarraſſment of this aſſembly, Charles began to look towards foreign wars, where all his efforts were equally unſucceſsful as in his domeſtic government. The earl of Denbigh, brother-in-law to Buckingham, was diſpatched to the relief of Rochelle, now cloſely beſieged by land, and threatened with a blockade by ſea: but he returned without effecting any thing; and, having declined to attack the enemy's fleet, he brought on the Engliſh arms the imputation either of cowardice or ill conduct. In order to repair this diſhonour the duke went to Portſmouth, where he had prepared a conſiderable fleet and army, on which all the ſubſidies given by parliament had been expended. This ſupply had very much diſappointed the king's expectations. The ſame mutinous ſpirit which prevailed in the houſe of commons had diffuſed itſelf over

the nation; and the commiſſioners appointed for making the aſſeſſments had connived at all frauds which might diminiſh the ſupply, and reduce the crown to ſtill greater neceſſities. This national diſcontent, communicated to a deſperate enthuſiaſt, ſoon broke out in an event which may be conſidered as remarkable.

There was one Felton, of a good family, but of an ardent, melancholic temper, who had ſerved under the duke in the ſtation of lieutenant. His captain being killed in the retreat at the iſle of Rhe, Felton had applied for the company; and, when diſappointed, he threw up his commiſſion, and retired in diſcontent from the army. While private reſentment was boiling in his ſullen, unſociable mind, he heard the nation reſound with complaints againſt the duke; and he met with the remonſtrance of the commons, in which his enemy was repreſented as the cauſe of every national grievance, and as the great enemy of the public. Religious fanaticiſm farther inflamed theſe vindictive reflections; and he fancied that he ſhould do heaven acceptable ſervice, if at one blow he diſpatched this dangerous foe to religion and to his country.[1] Full of theſe dark views, he ſecretly arrived at Portſmouth at the ſame time with the duke, and watched for an opportunity of effecting his bloody purpoſe.

DEATH OF BUCKINGHAM.

Buckingham had been engaged in converſation with Soubize and other French gentlemen; and, a difference of ſentiment having ariſen, the diſpute, though conducted with temper and decency, had produced ſome of thoſe vehement geſticulations and lively exertions of voice, in which that nation, more than the Engliſh, are apt to indulge themſelves. The converſation being finiſhed, the duke drew towards the door; and in that paſſage, turning himſelf to ſpeak to ſir Thomas Fryar, a colonel in the

army, he was, on the ſudden, over ſir Thomas's ſhoulder, ſtruck upon the breaſt with a knife. Without uttering other words than 'The villain has killed me,' in the ſame moment pulling out the knife, he breathed his laſt.

No man had ſeen the blow, nor the perſon who gave it; but, in the confuſion, every one made his own conjecture; and all agreed that the murder had been committed by the French gentlemen, whoſe angry tone of voice had been heard, while their words had not been underſtood by the by-ſtanders. In the hurry of revenge they had inſtantly been put to death, had they not been ſaved by ſome of more temper and judgment, who, though they had the ſame opinion of their guilt, thought proper to reſerve them for a judicial trial and examination.

Near the door there was found a hat, in the inſide of which was ſewed a paper, containing four or five lines of that remonſtrance of the commons, which declared Buckingham an enemy to the kingdom; and under theſe lines was a ſhort ejaculation, or attempt towards a prayer. It was eaſily concluded that this hat belonged to the aſſaſſin: but the difficulty ſtill remained, who that perſon ſhould be? For the writing diſcovered not the name; and, whoever he was, it was natural to believe that he had already fled far enough not to be found without a hat.

In this hurry a man without a hat was ſeen walking very compoſedly before the door. One crying out, 'Here is the fellow who killed the duke,' every body ran to aſk, 'Which is he?' The man very ſedately anſwered, 'I am he.' The more furious immediately ruſhed upon him with drawn ſwords: others, more deliberate, defended and protected him: he himſelf, with open arms, calmly and cheerfully expoſed his breaſt to the ſwords of the moſt enraged; being willing to fall a ſudden ſacrifice to their anger, rather than be reſerved for that public juſtice which he knew muſt be executed upon him.

He was now known to be that Felton who had ſerved in the army. Being carried into a private room, it was thought proper ſo far to diſſemble, as to tell him that Buckingham was only grievouſly wounded, but not without hopes of recovery. Felton ſmiled, and told them that the duke, he knew full well, had received a blow which had terminated all their hopes. When aſked at whoſe inſtigation he had performed that horrid deed? he replied that they needed not to trouble themſelves in that inquiry; that no man living had credit enough with him to have diſpoſed him to ſuch an action; that he had not even intruſted his purpoſe to any one; that the reſolution proceeded only from himſelf, and the impulſe of his own conſcience; and that his motives would appear if his hat were found; for that, believing he ſhould periſh in the attempt, he had there taken care to explain them.[m]

When the king was informed of this aſſaſſination he received the news in public with an unmoved and undiſturbed countenance; and the courtiers, who ſtudied his looks, concluded that ſecretly he was not diſpleaſed to be rid of a miniſter ſo generally odious to the nation.[n] But Charles's command of himſelf proceeded entirely from the gravity and compoſure of his temper. He was ſtill, as much as ever, attached to his favourite; and, during his whole life, he retained an affection for Buckingham's friends, and a prejudice againſt his enemies. He urged too that Felton ſhould be put to the queſtion, in order to extort from him a diſcovery of his accomplices: but the judges declared that, though that practice had formerly been very uſual, it was altogether illegal. So much more exact reaſoners, with regard to law, had they become, from the jealous ſcruples of the houſe of commons.

Meanwhile the diſtreſs of Rochelle had riſen to the utmoſt extremity. That vaſt genius of Richelieu, which made him form

the greateſt enterpriſes, led him to attempt their execution by means equally great and extraordinary. In order to deprive Rochelle of all ſuccour, he had dared to project the throwing acroſs the harbour a mole of a mile's extent in that boiſterous ocean; and, having executed his project, he now held the town cloſely blockaded on all ſides. The inhabitants, though preſſed with the greateſt rigours of famine, ſtill refuſed to ſubmit; being ſupported, partly by the lectures of their zealous preachers, partly by the daily hopes of relief from England. After Buckingham's death the command of the fleet and army was conferred on the earl of Lindeſey; who, arriving before Rochelle, made ſome attempts to break through the mole, and force his way into the harbour: but, by the delays of the Engliſh, that work was now fully finiſhed and fortified; and the Rochellers, finding their laſt hopes to fail them, were reduced to ſurrender at diſcretion, even in ſight of the Engliſh admiral. Of fifteen thouſand perſons ſhut up in the city, four thouſand alone ſurvived the fatigues and famine which they had undergone.°

This was the firſt neceſſary ſtep towards the proſperity of France. Foreign enemies, as well as domeſtic factions, being deprived of this reſource, that kingdom began now to ſhine forth in its full ſplendour. By a ſteady proſecution of wiſe plans, both of war and policy, it gradually gained an aſcendant over the rival power of Spain; and every order of the ſtate, and every ſect, were reduced to pay ſubmiſſion to the lawful authority of the ſovereign. The victory, however, over the hugonots, was at firſt puſhed by the French king with great moderation. A toleration was ſtill continued to them; the only avowed and open toleration which, at that time, was granted in any European kingdom.

NEW SESSION OF PARLIAMENT. 1629.

THE failure of an enterprife, in which the Engliſh nation, from religious ſympathy, ſo much intereſted themſelves, could not but diminiſh the king's authority in the parliament during the approaching ſeſſion; but the commons, when aſſembled, found many other cauſes of complaint. Buckingham's conduct and character with ſome had afforded a reaſon, with others a pretence, for diſcontent againſt public meaſures: but, after his death, there wanted not new reaſons and new pretences for general diſſatisfaction. Manwaring's pardon and promotion were taken notice of; Sibthorpe and Coſins, two clergymen, who, for like reaſons, were no leſs obnoxious to the commons, had met with like favour from the king; Montague, who had been cenſured for moderation towards the catholics, the greateſt of crimes, had been created biſhop of Chicheſter. They found, likewiſe, upon inquiry, that all the copies of the petition of right, which were diſperſed, had, by the king's orders, annexed to them the firſt anſwer, which had given ſo little ſatisfaction [p] to the commons. An expedient by which Charles endeavoured to perſuade the people that he had nowiſe receded from his former claims and pretenſions, particularly with regard to the levying of tonnage and poundage. Selden alſo complained in the houſe that one Savage, contrary to the petition of right, had been puniſhed with the loſs of his ears, by a diſcretionary or arbitrary ſentence of the ſtar chamber.[q] So apt were they, on their part, to ſtretch the petition into ſuch conſequences as might deprive the crown of powers which, from immemorial cuſtom, were ſuppoſed inherent in it.

TONNAGE AND POUNDAGE.

But the great article on which the houſe of commons broke with the king, and which finally created in Charles a diſguſt to all parliaments, was their claim with regard to tonnage and poundage. On this occaſion, therefore, it is neceſſary to give an account of the controverſy.

The duty of tonnage and poundage, in more ancient times, had been commonly a temporary grant of parliament; but it had been conferred on Henry V, and all the ſucceeding princes, during life, in order to enable them to maintain a naval force for the defence of the kingdom. The neceſſity of levying this duty had been ſo apparent, that each king had ever claimed it from the moment of his acceſſion; and the firſt parliament of each reign had uſually, by vote, conferred on the prince what they found him already in poſſeſſion of. Agreeably to the inaccurate genius of the old conſtitution, this abuſe, however conſiderable, had never been perceived nor remedied; though nothing could have been eaſier than for the parliament [r] to have prevented it. By granting this duty to each prince during his own life, and for a year after his demiſe to the ſucceſſor, all inconveniences had been obviated; and yet the duty had never for a moment been levied without proper authority. But contrivances of that nature were not thought of during thoſe rude ages: and, as ſo complicated and jealous a government as the Engliſh cannot ſubſiſt without many ſuch refinements, it is eaſy to ſee how favourable every inaccuracy muſt formerly have proved to royal authority, which on all emergences was obliged to ſupply, by diſcretionary power, the great deficiency of the laws.

The parliament did not grant the duty of tonnage and poundage to Henry VIII till the ſixth of his reign; yet this prince,

who had not then raiſed his power to its greateſt height, continued, during that whole time, to levy the impoſition. The parliament, in their very grant, blame the merchants who had neglected to make payment to the crown; and, though one expreſſion of that bill may ſeem ambiguous, they employ the plaineſt terms in calling tonnage and poundage the king's due, even before that duty was conferred on him by parliamentary authority.' Four reigns, and above a whole century, had ſince elapſed; and this revenue had ſtill been levied before it was voted by parliament. So long had the inaccuracy continued without being remarked or corrected.

During that ſhort interval, which paſſed between Charles's acceſſion and his firſt parliament, he had followed the example of his predeceſſors; and no fault was found with his conduct in this particular. But what was moſt remarkable in the proceedings of that houſe of commons, and what proved beyond controverſy that they had ſeriouſly formed a plan for reducing their prince to ſubjection, was, that, inſtead of granting this ſupply during the king's lifetime, as it had been enjoyed by all his immediate predeceſſors, they voted it only for a year; and, after that ſhould be elapſed, reſerved to themſelves the power of renewing or refuſing the ſame conceſſion.[t] But the houſe of peers, who ſaw that this duty was now become more neceſſary than ever to ſupply the growing neceſſities of the crown, and who did not approve of this encroaching ſpirit in the commons, rejected the bill; and the diſſolution of that parliament followed ſo ſoon after, that no attempt ſeems to have been made for obtaining tonnage and poundage in any other form.[u]

Charles, meanwhile, continued ſtill to levy this duty by his own authority; and the nation was ſo accuſtomed to that exertion of royal power, that no ſcruple was at firſt entertained of ſubmitting to it. But the ſucceeding parliament excited doubts

in every one. The commons took there ſome ſteps towards declaring it illegal to levy tonnage and poundage without conſent of parliament; and they openly ſhewed their intention of employing this engine, in order to extort from the crown conceſſions of the moſt important nature. But Charles was not yet ſufficiently tamed to compliance; and the abrupt diſſolution of that parliament, as above related, put an end, for the time, to their farther pretenſions.

The following interval, between the ſecond and third parliament, was diſtinguiſhed by ſo many exertions of prerogative, that men had little leiſure to attend to the affair of tonnage and poundage, where the abuſe of power in the crown might ſeem to be of a more diſputable nature. But, after the commons, during the precedent ſeſſion, had remedied all theſe grievances by means of their petition of right, which they deemed ſo neceſſary, they afterwards proceeded to take the matter into conſideration, and they ſhewed the ſame intention as formerly, of exacting, in return for the grant of this revenue, very large compliances on the part of the crown. Their ſudden prorogation prevented them from bringing their pretenſions to a full concluſion.

When Charles opened this ſeſſion he had foreſeen that the ſame controverſy would ariſe; and he therefore took care very early, among many mild and reconciling expreſſions, to inform the commons that he had not taken theſe duties as appertaining to his hereditary prerogative; but that it ever was, and ſtill is, his meaning to enjoy them as a gift of his people; and that, if he had hitherto levied tonnage and poundage, he pretended to juſtify himſelf only by the neceſſity of ſo doing, not by any right which he aſſumed.* This conceſſion, which probably aroſe from the king's moderate temper, now freed from the impulſe of Buckingham's violent counſels, might have ſatisfied the com-

mons, had they entertained no other view than that of aſcertaining their own powers and privileges. But they carried their pretenſions much higher. They inſiſted, as a neceſſary preliminary, that the king ſhould once entirely deſiſt from levying theſe duties; after which they were to take it into conſideration how far they would reſtore him to the poſſeſſion of a revenue, of which he had clearly diveſted himſelf. But, beſides that this extreme rigour had never been exerciſed towards any of his predeceſſors, and many obvious inconveniences muſt follow from the intermiſſion of the cuſtoms, there were other reaſons which deterred Charles from complying with ſo hard a condition. It was probable that the commons might renew their former project of making this revenue only temporary, and thereby reducing their prince to perpetual dependance; they certainly would cut off the new impoſitions which Mary and Elizabeth, but eſpecially James, had levied, and which formed no deſpicable part of the public revenue; and they openly declared that they had at preſent many important pretenſions, chiefly with regard to religion; and, if compliance were refuſed, no ſupply muſt be expected from the commons.

It is eaſy to ſee in what an inextricable labyrinth Charles was now involved. By his own conceſſions, by the general principles of the Engliſh government, and by the form of every bill which had granted this duty, tonnage and poundage was derived entirely from the free gift of the people, and conſequently might be withdrawn at their pleaſure. If unreaſonable in their refuſal, they ſtill refuſed nothing but what was their own. If public neceſſity required this ſupply, it might be thought alſo to require the king's compliance with thoſe conditions which were the price of obtaining it. Though the motive for granting it had been the enabling of the king to guard the ſeas; it did not follow that, becauſe he guarded the ſeas, he was therefore

entitled to this revenue without farther formality; ſince the people had ſtill reſerved to themſelves the right of judging how far that ſervice merited ſuch a ſupply. But Charles, notwithſtanding his public declaration, was far from aſſenting to this concluſion in its full extent. The plain conſequence, he ſaw, of all theſe rigours, and refinements, and inferences, was, that he, without any public neceſſity, and without any fault of his own, muſt, of a ſudden, even from his acceſſion, become a magiſtrate of a very different nature from any of his predeceſſors, and muſt fall into a total dependance on ſubjects over whom former kings, eſpecially thoſe immediately preceding, had exerciſed an authority almoſt unlimited. Entangled in a chain of conſequences which he could not eaſily break, he was inclined to go higher, and rather deny the firſt principle than admit of concluſions which to him appeared ſo abſurd and unreaſonable. Agreeably to the ideas hitherto entertained both by natives and foreigners, the monarch he eſteemed the eſſence and ſoul of the Engliſh government; and whatever other power pretended to annihilate, or even abridge, the royal authority, muſt neceſſarily, he thought, either in its nature or exerciſe, be deemed no better than an uſurpation. Willing to preſerve the ancient harmony of the conſtitution, he had ever intended to comply, as far as he eaſily could, with the ancient forms of adminiſtration; but, when theſe forms appeared to him, by the inveterate obſtinacy of the commons, to have no other tendency than to diſturb that harmony, and to introduce a new conſtitution, he concluded that, in this violent ſituation, what was ſubordinate muſt neceſſarily yield to what was principal, and the privileges of the people for a time give place to royal prerogative. From the rank of a monarch to be degraded into a ſlave of his inſolent, ungrateful ſubjects, ſeemed, of all indignities, the greateſt; and nothing, in his judgment, could exceed the humiliation attending ſuch a ſtate, but

the meanneſs of tamely ſubmitting to it without making ſome efforts to preſerve the authority tranſmitted to him by his predeceſſors.

Though theſe were the king's reflections and reſolutions before the parliament aſſembled, he did not immediately break with them upon their delay in voting him this ſupply. He thought that he could better juſtify any ſtrong meaſure, which he might afterwards be obliged to take, if he allowed them to carry to the utmoſt extremities their attacks upon his government and prerogative.[y] He contented himſelf, for the preſent, with ſoliciting the houſe by meſſages and ſpeeches. But the commons, inſtead of hearkening to his ſolicitations, proceeded to carry their ſcrutiny into his management of religion,[z] which was the only grievance to which, in their opinion, they had not as yet, by their petition of right, applied a ſufficient remedy.

ARMINIANISM.

It was not poſſible that this century, ſo fertile in religious ſects and diſputes, could eſcape the controverſy concerning fataliſm and free-will, which, being ſtrongly interwoven both with philoſophy and theology, had, in all ages, thrown every ſchool and every church into ſuch inextricable doubt and perplexity. The firſt reformers in England, as in other European countries, had embraced the moſt rigid tenets of predeſtination and abſolute decrees, and had compoſed, upon that ſyſtem, all the articles of their religious creed. But, theſe principles having met with oppoſition from Arminius and his ſectaries, the controverſy was ſoon brought into this iſland, and began here to diffuſe itſelf. The Arminians, finding more encouragement from the ſuperſtitious ſpirit of the church than from the fanaticiſm of the puritans, gradually incorporated themſelves with the former; and

ſome of that ſect, by the indulgence of James and Charles, had attained the higheſt preferments in the hierarchy. But their ſucceſs with the public had not been altogether anſwerable to that which they met with in the church and the court. Throughout the nation they ſtill lay under the reproach of innovation and hereſy. The commons now levelled againſt them their formidable cenſures, and made them the objects of daily invective and declamation. Their protectors were ſtigmatized, their tenets canvaſſed, their views repreſented as dangerous and pernicious. To impartial ſpectators, ſurely, if any ſuch had been at that time in England, it muſt have given great entertainment to ſee a popular aſſembly, inflamed with faction and enthuſiaſm, pretend to diſcuſs queſtions to which the greateſt philoſophers, in the tranquillity of retreat, had never hitherto been able to find any ſatisfactory ſolution.

Amidſt that complication of diſputes, in which men were then involved, we may obſerve that the appellation 'puritan' ſtood for three parties, which, though commonly united, were yet actuated by very different views and motives. There were the political puritans, who maintained the higheſt principles of civil liberty; the puritans in diſcipline, who were averſe to the ceremonies and epiſcopal government of the church; and the doctrinal puritans, who rigidly defended the ſpeculative ſyſtem of the firſt reformers. In oppoſition to all theſe ſtood the court party, the hierarchy, and the Arminians; only with this diſtinction, that the latter ſect, being introduced a few years before, did not as yet comprehend all thoſe who were favourable to the church and to monarchy. But, as the controverſies on every ſubject grew daily warmer, men united themſelves more intimately with their friends, and ſeparated themſelves wider from their antagoniſts; and the diſtinction gradually became quite uniform and regular.

This houſe of commons, which, like all the preceding during the reigns of James and Charles, and even of Elizabeth, was much governed by the puritanical party, thought that they could not better ſerve their cauſe than by branding and puniſhing the Arminian ſect, which, introducing an innovation in the church, were the leaſt favoured and leaſt powerful of all their antagoniſts. From this meaſure it was eaſily foreſeen that, beſides gratifying the animoſity of the doctrinal puritans, both the puritans in diſcipline and thoſe in politics would reap conſiderable advantages. Laud, Neile, Montague, and other biſhops, who were the chief ſupporters of epiſcopal government, and the moſt zealous partiſans of the diſcipline and ceremonies of the church, were all ſuppoſed to be tainted with Arminianiſm. The ſame men and their diſciples were the ſtrenuous preachers of paſſive obedience, and of entire ſubmiſſion to princes; and, if theſe could once be cenſured, and be expelled the church and court, it was concluded that the hierarchy would receive a mortal blow, the ceremonies be leſs rigidly inſiſted on, and the king, deprived of his moſt faithful friends, be obliged to abate thoſe high claims of prerogative on which at preſent he inſiſted.

But Charles, beſides a view of the political conſequences which muſt reſult from a compliance with ſuch pretenſions, was ſtrongly determined, from principles of piety and conſcience, to oppoſe them. Neither the diſſipation incident to youth, nor the pleaſures attending a high fortune, had been able to prevent this virtuous prince from embracing the moſt ſincere ſentiments of religion; and that character which, in that religious age, ſhould have been of infinite advantage to him, proved in the end the chief cauſe of his ruin, merely becauſe the religion adopted by him was not of that preciſe mode and ſect which began to prevail among his ſubjects. His piety, though remote from popery, had a tincture of ſuperſtition in it; and, being averſe to the

gloomy ſpirit of the puritans, was repreſented by them as tend ing towards the abominations of antichriſt. Laud alſo had unfortunately acquired a great aſcendant over him: and, as all thoſe prelates, obnoxious to the commons, were regarded as his chief friends and moſt favourite courtiers, he was reſolved not to diſarm and diſhonour himſelf by abandoning them to the reſentment of his enemies. Being totally unprovided with military force, and finding a refractory independent ſpirit to prevail among the people; the moſt ſolid baſis of his authority, he thought, conſiſted in the ſupport which he received from the hierarchy.

In the debates of the commons, which are tranſmitted to us, it is eaſy to diſcern ſo early ſome ſparks of that enthuſiaſtic fire which afterwards ſet the whole nation in combuſtion. One Rouſe made uſe of an alluſion, which, though familiar, ſeems to have been borrowed from the writings of lord Bacon.[a] 'If a man meet a dog alone,' ſaid he, 'the dog is fearful, though ever ſo fierce by nature: but, if the dog have his maſter with him, he will ſet upon that man from whom he fled before. This ſhews that lower natures, being backed by higher, increaſe in courage and ſtrength; and certainly man, being backed with Omnipotency, is a kind of omnipotent creature. All things are poſſible to him that believes; and where all things are poſſible there is a kind of omnipotency. Wherefore, let it be the unanimous conſent and reſolution of us all to make a vow and covenant henceforth to hold faſt our God and our religion; and then ſhall we henceforth expect, with certainty,[b] happineſs in this world.'

Oliver Cromwell, at that time a young man of no account in the nation, is mentioned in theſe debates as complaining of one who, he was told, preached flat popery.[c] It is amuſing to obſerve the firſt words of this fanatical hypocrite correſpond ſo exactly to his character.

The inquiries and debates concerning tonnage and poundage went hand in hand with theſe theological or metaphyſical controverſies. The officers of the cuſtom-houſe were ſummoned before the commons, to give an account by what authority they had ſeized the goods of merchants who had refuſed to pay theſe duties: the barons of the exchequer were queſtioned concerning their decrees on that head:[d] one of the ſheriffs of London was committed to the tower for his activity in ſupporting the officers of the cuſtom-houſe: the goods of Rolles, a merchant, and member of the houſe, being ſeized for his refuſal to pay the duties, complaints were made of this violence, as if it were a breach of privilege:[e] Charles ſupported his officers in all theſe meaſures; and the quarrel grew every day higher between him and the commons.[f] Mention was made in the houſe of impeaching ſir Richard Weſton, the treaſurer;[g] and the king began to entertain thoughts of finiſhing the ſeſſion by a diſſolution.

Sir John Elliot framed a remonſtrance againſt levying tonnage and poundage without conſent of parliament, and offered it to the clerk to read. It was refuſed. He read it himſelf. The queſtion being then called for, the ſpeaker, ſir John Finch, ſaid that he had a command from the king to adjourn, and to put no queſtion;[h] upon which he roſe and left the chair. The whole houſe was in an uproar. The ſpeaker was puſhed back into the chair, and forcibly held in it by Hollis and Valentine, till a ſhort remonſtrance was framed, and was paſſed by acclamation rather than by vote. Papiſts and Arminians were there declared capital enemies to the commonwealth; thoſe who levied tonnage and poundage were branded with the ſame epithet; and even the merchants, who ſhould voluntarily pay theſe duties, were denominated betrayers of Engliſh liberty, and public enemies. The doors being locked, the gentleman uſher of the houſe of lords, who was ſent by the king, could not get admittance till

this remonſtrance was finiſhed. By the king's order he took the mace from the table, which ended their proceedings;[i] and a few days after the parliament was diſſolved.

DISSOLUTION OF THE PARLIAMENT.

THE diſcontents of the nation ran high, on account of this violent rupture between the king and parliament. Theſe diſcontents Charles inflamed by his affectation of a ſeverity which he had not power, nor probably inclination, to carry to extremities. Sir Miles Hobart, ſir Peter Heyman, Selden, Coriton, Long, Strode, were committed to priſon, on account of the laſt tumult in the houſe, which was called ſedition.[k] With great difficulty, and after ſeveral delays, they were releaſed; and the law was generally ſuppoſed to be wreſted, in order to prolong their impriſonment. Sir John Elliot, Hollis, and Valentine, were ſummoned to their trial in the king's bench for ſeditious ſpeeches and behaviour in parliament; but, refuſing to anſwer before an inferior court for their conduct, as members of a ſuperior, they were condemned to be impriſoned during the king's pleaſure, to find ſureties for their good behaviour, and to be fined, the two former a thouſand pounds apiece, the latter five hundred.[l] This ſentence, procured by the influence of the crown, ſerved only to ſhew the king's diſregard to the privileges of parliament, and to acquire an immenſe ſtock of popularity to the ſufferers, who had ſo bravely, in oppoſition to arbitrary power, defended the liberties of their native country. The commons of England, though an immenſe body, and poſſeſſed of the greater part of national property, were naturally ſomewhat defenceleſs, becauſe of their perſonal equality, and their want of leaders; but the king's ſeverity, if theſe proſecutions deſerve the name, here pointed out leaders to them, whoſe reſentment was inflamed.

and whoſe courage was nowiſe daunted, by the hardſhips which they had undergone in ſo honourable a cauſe.

So much did theſe priſoners glory in their ſufferings, that though they were promiſed liberty on that condition, they would not condeſcend even to preſent a petition to the king, expreſſing their ſorrow for having offended him.[m] They unanimouſly refuſed to find ſureties for their good behaviour; and diſdained to accept of deliverance on ſuch eaſy terms. Nay, Hollis was ſo induſtrious to continue his meritorious diſtreſs, that, when one offered to bail him, he would not yield to the rule of court, and be himſelf bound with his friend. Even Long, who had actually found ſureties in the chief juſtice's chamber, declared in court that his ſureties ſhould no longer continue.[n] Yet, becauſe ſir John Elliot happened to die while in cuſtody, a great clamour was raiſed againſt the adminiſtration; and he was univerſally regarded as a martyr to the liberties of England.[o]

CHAPTER LII.

CHARLES I.

PEACE WITH FRANCE AND SPAIN....STATE OF THE COURT AND MINISTRY....CHARACTER OF THE QUEEN....INNOVATIONS IN THE CHURCH....IRREGULAR LEVIES OF MONEY....SEVERITIES IN THE STAR CHAMBER AND HIGH COMMISSION....SHIP MONEY....TRIAL OF HAMBDEN.

THERE now opens to us a new ſcene. Charles, naturally diſguſted with parliaments, who he found were determined to proceed againſt him with unmitigated rigour, both in invading his prerogative, and refuſing him all ſupply, reſolved not to call any more till he ſhould ſee greater indications of a compliant diſpoſition in the nation. Having loſt his great favourite, Buckingham, he became his own miniſter, and never afterwards repoſed in any one ſuch unlimited confidence. As he chiefly follows his own genius and diſpoſition, his meaſures are henceforth leſs raſh and haſty; though the general tenor of his adminiſtration ſtill wants ſomewhat of being entirely legal, and perhaps more of being entirely prudent.

We ſhall endeavour to exhibit a juſt idea of the events which followed for ſome years, ſo far as they regard foreign affairs, the ſtate of the court, and the government of the nation. The in-

cidents are neither numerous nor illuſtrious; but the knowledge of them is neceſſary for underſtanding the ſubſequent tranſactions, which are ſo memorable.

PEACE WITH FRANCE AND SPAIN. 1630.

CHARLES, deſtitute of all ſupply, was neceſſarily reduced to embrace a meaſure which ought to have been the reſult of reaſon and ſound policy; he made peace with the two crowns againſt which he had hitherto waged war, entered into without neceſſity, and conducted without glory. Notwithſtanding the diſtracted and helpleſs condition of England, no attempt was made, either by France or Spain, to invade their enemy; nor did they entertain any farther project than to defend themſelves againſt the feeble and ill-concerted expeditions of that kingdom. Pleaſed that the jealouſies and quarrels between king and parliament had diſarmed ſo formidable a power, they carefully avoided any enterpriſe which might rouſe either the terror or anger of the Engliſh, and diſpoſe them to domeſtic union and ſubmiſſion. The endeavours to regain the good-will of the nation were carried ſo far by the king of Spain, that he generouſly releaſed and ſent home all the Engliſh priſoners taken in the expedition againſt Cadiz. The example was imitated by France, after the retreat of the Engliſh from the iſle of Rhe. When princes were in ſuch diſpoſitions, and had ſo few pretenſions on each other, it could not be difficult to conclude a peace. The treaty was firſt ſigned with France.[p] The ſituation of the king's affairs did not entitle him to demand any conditions for the hugonots, and they were abandoned to the will of their ſovereign. Peace was afterwards concluded with Spain, November 5; where no conditions were made in favour of the palatine, except that Spain promiſed in general to uſe their good offices for his reſtoration.[q] The influ-

ence of theſe two wars on domeſtic affairs, and on the diſpoſitions of king and people, was of the utmoſt conſequence; but no alteration was made by them on the foreign intereſts of the kingdom.

Nothing more happy can be imagined than the ſituation in which England then ſtood with regard to foreign affairs. Europe was divided between the rival families of Bourbon and Auſtria, whoſe oppoſite intereſts, and ſtill more their mutual jealouſies, ſecured the tranquillity of this iſland. Their forces were ſo nearly counterpoiſed, that no apprehenſions were entertained of any event which could ſuddenly diſturb the balance of power between them. The Spaniſh monarch, deemed the moſt powerful, lay at greateſt diſtance; and the Engliſh by that means poſſeſſed the advantage of being engaged by political motives into a more intimate union and confederacy with the neighbouring potentate. The diſperſed ſituation of the Spaniſh dominions rendered the naval power of England formidable to them, and kept that empire in continual dependance. France, more vigorous and more compact, was every day riſing in policy and diſcipline, and reached at laſt an equality of power with the houſe of Auſtria; but her progreſs, ſlow and gradual, left it ſtill in the power of England, by a timely interpoſition, to check her ſuperiority. And thus Charles, could he have avoided all diſſenſions with his own ſubjects, was in a ſituation to make himſelf be courted and reſpected by every power in Europe; and, what has ſcarcely ever ſince been attained by the princes of this iſland, he could either be active with dignity, or neutral with ſecurity.

A neutrality was embraced by the king; and, during the reſt of his reign, he ſeems to have little regarded foreign affairs, except ſo far as he was engaged by honour, and by friendſhip, for his ſiſter and the palatine, to endeavour the procuring of ſome relief for that unhappy family. He joined his good offices to

thoſe of France, and mediated a peace between the kings of Sweden and Poland, in hopes of engaging the former to embrace the protection of the oppreſſed proteſtants in the empire. This was the famed Guſtavus, whoſe heroic genius, ſeconded by the wiſeſt policy, made him in a little time the moſt diſtinguiſhed monarch of the age, and rendered his country, formerly unknown and neglected, of great weight in the balance of Europe. To encourage and aſſiſt him in his projected invaſion of Germany, Charles agreed to furniſh him with ſix thouſand men; but, that he might preſerve the appearance of neutrality, he made uſe of the marquis of Hamilton's name.[r] That nobleman entered into an engagement with Guſtavus; and, inliſting theſe troops in England and Scotland at Charles's expenſe, he landed them in the Elbe. The deciſive battle of Leipſic was fought ſoon after; where the conduct of Tilly and the valour of the Imperialiſts were overcome by the ſuperior conduct of Guſtavus and the ſuperior valour of the Swedes. What remained of this hero's life was one continued ſeries of victory, for which he was leſs beholden to fortune than to thoſe perſonal endowments which he derived from nature and from induſtry. That rapid progreſs of conqueſt, which we ſo much admire in ancient hiſtory, was here renewed in modern annals, and without that cauſe to which in former ages it had ever been owing. Military nations were not now engaged againſt an undiſciplined and unwarlike people, nor heroes ſet in oppoſition to cowards. The veteran troops of Ferdinand, conducted by the moſt celebrated generals of the age, were foiled in every encounter, and all Germany was overrun in an inſtant by the victorious Swede. But, by this extraordinary and unexpected ſucceſs of his ally, Charles failed of the purpoſe for which he framed the alliance. Guſtavus, elated by proſperity, began to form more extenſive plans of ambition; and, in freeing Germany from the yoke of Ferdinand, he intended to reduce it

to ſubjection under his own. He refuſed to reſtore the palatine to his principality, except on conditions which would have kept him in total dependance.' And thus the negociation was protracted till the battle of Lutzen, where the Swediſh monarch periſhed in the midſt of a complete victory which he obtained over his enemies.

We have carried on theſe tranſactions a few years beyond the preſent period, that we might not be obliged to return to them; nor be henceforth interrupted in our account of Charles's court and kingdoms.

STATE OF THE COURT AND MINISTRY.

When we conſider Charles as preſiding in his court, as aſſociating with his family, it is difficult to imagine a character at once more reſpectable and more amiable. A kind huſband, an indulgent father, a gentle maſter, a ſtedfaſt friend; to all theſe eulogies, his conduct in private life fully entitled him. As a monarch too, in the exterior qualities, he excelled; in the eſſential he was not defective. His addreſs and manner, though perhaps inclining a little towards ſtatelineſs and formality, in the main correſponded to his high rank, and gave grace to that reſerve and gravity which were natural to him. The moderation and equity which ſhone forth in his temper ſeemed to ſecure him againſt raſh and dangerous enterpriſes; the good ſenſe which he diſplayed in his diſcourſe and converſation ſeemed to warrant his ſucceſs in every reaſonable undertaking. Other endowments likewiſe he had attained, which in a private gentleman would have been highly ornamental, and which in a great monarch might have proved extremely uſeful to his people. He was poſſeſſed of an excellent taſte in all the fine arts; and the love of painting was in ſome degree his favourite paſſion. Learned be-

yond what is common in princes, he was a good judge of writing in others, and enjoyed himſelf no mean talent in compoſition. In any other age or nation this monarch had been ſecure of a proſperous and a happy reign. But the high idea of his own authority, which he had imbibed, made him incapable of giving way to the ſpirit of liberty, which began to prevail among his ſubjects. His politics were not ſupported by ſuch vigour and foreſight as might enable him to ſubdue their pretenſions, and maintain his prerogative at the high pitch to which it had been raiſed by his predeceſſors. And, above all, the ſpirit of enthuſiaſm being univerſally diffuſed, diſappointed all the views of human prudence, and diſturbed the operation of every motive which uſually influences ſociety.

But the misfortunes ariſing from theſe cauſes were yet remote. Charles now enjoyed himſelf in the full exerciſe of his authority, in a ſocial intercourſe with his friends and courtiers, and in a moderate uſe of thoſe pleaſures which he moſt affected.

CHARACTER OF THE QUEEN.

After the death of Buckingham, who had ſomewhat alienated Charles from the queen, ſhe is to be conſidered as his chief friend and favourite. That ruſtic contempt of the fair ſex, which James affected, and which, baniſhing them from his court, made it reſemble more a fair or an exchange than the ſeat of a great prince, was very wide of the diſpoſition of this monarch. But, though full of complaiſance to the whole ſex, Charles reſerved all his paſſion for his conſort, to whom he attached himſelf with unſhaken fidelity and confidence. By her ſenſe and ſpirit, as well as by her beauty, ſhe juſtified the fondneſs of her huſband; though it is allowed that, being ſomewhat of a paſſionate temper, ſhe precipitated him into haſty and imprudent meaſures.

Her religion, likewiſe, to which ſhe was much addicted, muſt be regarded as a great misfortune; ſince it augmented the jealouſy which prevailed againſt the court, and engaged her to procure for the catholics ſome indulgences which were generally diſtaſteful to the nation.'

In the former ſituation of the Engliſh government, when the ſovereign was in a great meaſure independent of his ſubjects, the king choſe his miniſters either from perſonal favour, or from an opinion of their abilities, without any regard to their parliamentary intereſt or talents. It has ſince been the maxim of princes, wherever popular leaders encroach too much on royal authority, to confer offices on them; in expectation that they will afterwards become more careful not to diminiſh that power which has become their own. Theſe politics were now embraced by Charles; a ſure proof that a ſecret revolution had happened in the conſtitution, and had neceſſitated the prince to adopt new maxims of government." But the views of the king were at this time ſo repugnant to thoſe of the puritans, that the leaders, whom he gained, loſt from that moment all intereſt with their party, and were even purſued as traitors with implacable hatred and reſentment. This was the caſe with ſir Thomas Wentworth, whom the king created firſt a baron, then a viſcount, and afterwards earl of Strafford; made him preſident of the council of York, and deputy of Ireland; and regarded him as his chief miniſter and counſellor. By his eminent talents and abilities Strafford merited all the confidence which his maſter repoſed in him: his character was ſtately and auſtere; more fitted to procure eſteem than love: his fidelity to the king was unſhaken; but, as he now employed all his counſels to ſupport the prerogative, which he had formerly bent all his endeavours to diminiſh, his virtue ſeems not to have been entirely pure, but to have been ſuſceptible of ſtrong impreſſions from private in-

tereſt and ambition. Sir Dudley Digges was about the ſame time created maſter of the rolls; Noy, attorney-general; Littleton, ſolicitor-general. All theſe had likewiſe been parliamentary leaders, and were men eminent in their profeſſion.[x]

In all eccleſiaſtical affairs, and even in many civil, Laud, biſhop of London, had great influence over the king. This man was virtuous, if ſeverity of manners alone and abſtinence from pleaſure could deſerve that name. He was learned, if polemical knowledge could entitle him to that praiſe. He was diſintereſted; but with unceaſing induſtry he ſtudied to exalt the prieſtly and prelatical character, which was his own. His zeal was unrelenting in the cauſe of religion; that is, in impoſing by rigorous meaſures his own tenets and pious ceremonies on the obſtinate puritans, who had profanely dared to oppoſe him. In proſecution of his holy purpoſes he overlooked every human conſideration; or, in other words, the heat and indiſcretion of his temper made him neglect the views of prudence and rules of good manners. He was in this reſpect happy, that all his enemies were alſo imagined by him the declared enemies to loyalty and true piety, and that every exerciſe of his anger by that means became, in his eyes, a merit and a virtue. This was the man who acquired ſo great an aſcendant over Charles; and who led him, by the facility of his temper, into a conduct which proved ſo fatal to himſelf and to his kingdoms.

INNOVATIONS IN THE CHURCH.

The humour of the nation ran at that time into the extreme oppoſite to ſuperſtition; and it was with difficulty that the ancient ceremonies, to which men had been accuſtomed, and which had been ſanctified by the practice of the firſt reformers, could be retained in divine ſervice; yet was this the time which Laud

choſe for the introduction of new ceremonies and obſervances. Beſides that theſe were ſure to diſpleaſe as innovations, there lay, in the opinion of the public, another very forcible objection againſt them. Laud, and the other prelates who embraced his meaſures, were generally well inſtructed in ſacred antiquity, and had adopted many of thoſe religious ſentiments which prevailed during the fourth and fifth centuries; when the Chriſtian church, as is well known, was already ſunk into thoſe ſuperſtitions which were afterwards continued and augmented by the policy of Rome. The revival, therefore, of the ideas and practices of that age, could not fail of giving the Engliſh faith and liturgy ſome reſemblance to the catholic ſuperſtition, which the kingdom in general, and the puritans in particular, held in the greateſt horror and deteſtation. Men alſo were apt to think that, without ſome ſecret purpoſe, ſuch inſignificant obſervances would not be impoſed with ſuch unrelenting zeal on the refractory nation, and that Laud's ſcheme was to lead back the Engliſh by gradual ſteps to the religion of their anceſtors. They conſidered not that the very inſignificancy of theſe ceremonies recommended them to the ſuperſtitious prelate, and made them appear the more peculiarly ſacred and religious as they could ſerve to no other purpoſe. Nor was the reſemblance to the Romiſh ritual any objection, but rather a merit, with Laud and his brethren; who bore a much greater kindneſs to the mother church, as they called her, than to the ſectaries and preſbyterians, and frequently recommended her as a true Chriſtian church; an appellation which they refuſed, or at leaſt ſcrupled to give to the others.[y] So openly were theſe tenets eſpouſed, that not only the diſcontented puritans believed the church of England to be relapſing faſt into Romiſh ſuperſtition; the court of Rome itſelf entertained hopes of regaining its authority in this iſland; and, in order to forward Laud's ſuppoſed good intentions, an offer

was twice made him, in private, of a cardinal's hat, which he declined accepting.[z] His anſwer was, as he ſays himſelf, that ſomething dwelt within him, which would not ſuffer his compliance till Rome were other than it is.[a]

A court lady, daughter of the earl of Devonſhire, having turned catholic, was aſked by Laud the reaſons of her converſion. 'Tis chiefly,' ſaid ſhe, 'becauſe I hate to travel in a crowd.' The meaning of this expreſſion being demanded, ſhe replied, 'I perceive your grace and many others are making haſte to Rome; and therefore, in order to prevent my being crowded, I have gone before you.' It muſt be confeſſed that, though Laud deſerved not the appellation of papiſt, the genius of his religion was, though in a leſs degree, the ſame with that of the Romiſh: the ſame profound reſpect was exacted to the ſacerdotal character; the ſame ſubmiſſion required to the creeds and decrees of ſynods and councils; the ſame pomp and ceremony were affected in worſhip; and the ſame ſuperſtitious regard to days, poſtures, meats, and veſtments. No wonder, therefore, that this prelate was everywhere, among the puritans, regarded with horror, as the forerunner of antichriſt.

As a ſpecimen of the new ceremonies, to which Laud ſacrificed his own quiet and that of the nation, it may not be amiſs to relate thoſe which he was accuſed of employing in the conſecration of St. Catharine's church, and which were the object of ſuch general ſcandal and offence.

On the biſhop's approach to the weſt door of the church a loud voice cried, 'Open, open, ye everlaſting doors, that the king of glory may enter in!' Immediately the doors of the church flew open, and the biſhop entered. Falling upon his knees, with eyes elevated and arms expanded, he uttered theſe words: 'This place is holy; the ground is holy; in the name of the Father, Son, and Holy Ghoſt, I pronounce it holy.'

Going towards the chancel, he ſeveral times took up from the floor ſome of the duſt, and threw it in the air. When he approached, with his attendants, near to the communion table, he bowed frequently towards it: and on their return they went round the church, repeating, as they marched along, ſome of the pſalms; and then ſaid a form of prayer, which concluded with theſe words: 'We conſecrate this church, and ſeparate it unto thee as holy ground, not to be profaned any more to common uſes.'

After this the biſhop, ſtanding near the communion table, ſolemnly pronounced many imprecations upon ſuch as ſhould afterwards pollute that holy place by muſters of ſoldiers, or keeping in it profane law courts, or carrying burdens through it. On the concluſion of every curſe he bowed towards the eaſt, and cried, 'Let all the people ſay, Amen.'

The imprecations being all ſo piouſly finiſhed, there were poured out a number of bleſſings upon ſuch as had any hand in framing and building that ſacred and beautiful edifice, and on ſuch as had given, or ſhould hereafter give, to it any chalices, plate, ornaments, or utenſils. At every benediction he in like manner bowed towards the eaſt, and cried, 'Let all the people ſay, Amen.'

The ſermon followed; after which the biſhop conſecrated and adminiſtered the ſacrament in the following manner:

As he approached the communion table he made many lowly reverences; and, coming up to that part of the table where the bread and wine lay, he bowed ſeven times. After the reading of many prayers he approached the ſacramental elements, and gently lifted up the corner of the napkin in which the bread was placed. When he beheld the bread he ſuddenly let fall the napkin, flew back a ſtep or two, bowed three ſeveral times towards the bread; then he drew nigh again, opened the napkin, and bowed as before.

Next he laid his hand on the cup, which had a cover upon it, and was filled with wine. He let go the cup, fell back, and bowed thrice towards it. He approached again; and, lifting up the cover, peeped into the cup. Seeing the wine, he let fall the cover, ſtarted back, and bowed as before. Then he received the ſacrament, and gave it to others; and, many prayers being ſaid, the ſolemnity of the conſecration ended. The walls and floor and roof of the fabric were then ſuppoſed to be ſufficiently holy.[b]

Orders were given, and rigorouſly inſiſted on, that the communion table ſhould be removed from the middle of the area, where it hitherto ſtood in all churches,[c] except in cathedrals. It was placed at the eaſt end, railed in, and denominated an Altar; as the clergyman who officiated received commonly the appellation of Prieſt. It is not eaſy to imagine the diſcontents excited by this innovation, and the ſuſpicions which it gave riſe to.

The kneeling at the altar, and the uſing of copes, a ſpecies of embroidered veſtment, in adminiſtering the ſacrament, were alſo known to be great objects of ſcandal, as being popiſh practices: but the oppoſition rather increaſed than abated the zeal of the prelate for the introduction of theſe habits and ceremonies.

All kinds of ornament, eſpecially pictures, were neceſſary for ſupporting that mechanical devotion which was purpoſed to be raiſed in this model of religion: but, as theſe had been ſo much employed by the church of Rome, and had given riſe to ſo much ſuperſtition, or what the puritans called idolatry, it was impoſſible to introduce them into Engliſh churches without exciting general murmurs and complaints. But Laud, poſſeſſed of preſent authority, perſiſted in his purpoſe, and made ſeveral attempts towards acquiring theſe ornaments. Some of the pictures introduced by him were alſo found, upon inquiry, to be the very

ſame that might be met with in the maſs book. The crucifix too, that eternal conſolation of all pious catholics, and terror to all ſound proteſtants, was not forgotten on this occaſion.[d]

It was much remarked that Sherfield, the recorder of Saliſbury, was tried in the ſtar chamber for having broken, contrary to the biſhop of Saliſbury's expreſs injunctions, a painted window of St. Edmond's church in that city. He boaſted that he had deſtroyed theſe monuments of idolatry: but for this effort of his zeal he was fined five hundred pounds, removed from his office, condemned to make a public acknowledgment, and be bound to his good behaviour.[e]

Not only ſuch of the clergy as neglected to obſerve every ceremony were ſuſpended and deprived by the high commiſſion court; oaths were, by many of the biſhops, impoſed on the churchwardens, and they were ſworn to inform againſt any one who acted contrary to the eccleſiaſtical canons.[f] Such a meaſure, though practiſed during the reign of Elizabeth, gave much offence, as reſembling too nearly the practice of the Romiſh inquiſition.

To ſhew the great alienation from the churches reformed after the preſbyterian model, Laud adviſed that the diſcipline and worſhip of the church ſhould be impoſed on the Engliſh regiments and trading companies abroad.[g] All foreigners of the Dutch and Walloon congregations were commanded to attend the eſtabliſhed church; and indulgence was granted to none after the children of the firſt denizens.[h] Scudamore too, the king's ambaſſador at Paris, had orders to withdraw himſelf from the communion of the hugonots. Even men of ſenſe were apt to blame this conduct, not only becauſe it gave offence in England, but becauſe in foreign countries it loſt the crown the advantage of being conſidered as the head and ſupport of the reformation.[i]

On pretence of pacifying diſputes, orders were iſſued from the council, forbidding, on both ſides, all preaching and printing with regard to the controverted points of predeſtination and free-will. But it was complained of, and probably with reaſon, that the impartiality was altogether confined to the orders, and that the execution of them was only meant againſt the Calviniſts.

In return for Charles's indulgence towards the church, Laud and his followers took care to magnify, on every occaſion, the regal authority, and to treat with the utmoſt diſdain or deteſtation all puritanical pretenſions to a free and independent conſtitution. But, while theſe prelates were ſo liberal in raiſing the crown at the expenſe of public liberty, they made no ſcruple of encroaching themſelves on the royal rights the moſt inconteſtable; in order to exalt the hierarchy, and procure to their own order dominion and independence. All the doctrines which the Romiſh church had borrowed from ſome of the fathers, and which freed the ſpiritual from ſubordination to the civil power, were now adopted by the church of England, and interwoven with her political and religious tenets. A divine and apoſtolical charter was inſiſted on, preferably to a legal and parliamentary one.[k] The ſacerdotal character was magnified as ſacred and indefeſible: all right to ſpiritual authority, or even to private judgment in ſpiritual ſubjects, was refuſed to profane laymen: eccleſiaſtical courts were held by the biſhops in their own name, without any notice taken of the king's authority: and Charles, though extremely jealous of every claim in popular aſſemblies, ſeemed rather to encourage than repreſs thoſe encroachments of his clergy. Having felt many ſenſible inconveniences from the independent ſpirit of parliaments, he attached himſelf entirely to thoſe who profeſſed a devoted obedience to his crown and perſon; nor did he foreſee that the eccleſiaſtical power which he exalted, not admitting of any preciſe boundary, might in time

become more dangerous to public peace, and no leſs fatal to royal prerogative, than the other.

So early as the coronation Laud was the perſon, according to general opinion, that introduced a novelty, which, though overlooked by Charles, made a deep impreſſion on many of the byſtanders. After the uſual ceremonies theſe words were recited to the king: 'Stand and hold faſt, from henceforth, the place to which you have been heir by the ſucceſſion of your forefathers, being now delivered to you by the authority of Almighty God, and by the hands of us and all the biſhops and ſervants of God. And, as you ſee the clergy to come nearer the altar than others, ſo remember that, in all places convenient, you give them greater honour; that the Mediator of God and man may eſtabliſh you on the kingly throne, to be a mediator betwixt the clergy and the laity;[1] and that you may reign for ever with Jeſus Chriſt, the King of kings, and Lord of lords.'

The principles which exalted prerogative were not entertained by the king merely as ſoft and agreeable to his royal ears; they were alſo put in practice during the time that he ruled without parliaments. Though frugal and regular in his expenſe, he wanted money for the ſupport of government; and he levied it, either by the revival of obſolete laws, or by violations, ſome more open, ſome more diſguiſed, of the privileges of the nation. Though humane and gentle in his temper, he gave way to a few ſeverities in the ſtar chamber and high commiſſion, which ſeemed neceſſary, in order to ſupport the preſent mode of adminiſtration, and repreſs the riſing ſpirit of liberty throughout the kingdom. Under theſe two heads may be reduced all the remarkable tranſactions of this reign, during ſome years; for, in peaceable and proſperous times, where a neutrality in foreign affairs is obſerved, ſcarcely any thing is remarkable but what is in ſome degree blamed or blameable. And, leſt the hope of

relief or protection from parliament might encourage oppoſition, Charles iſſued a proclamation, in which he declared 'That whereas, for ſeveral ill ends, the calling again of a parliament is divulged; though his majeſty has ſhewn, by frequent meetings with his people, his love to the uſe of parliaments, yet the late abuſe having for the preſent driven him unwillingly out of that courſe, he will account it preſumption for any one to preſcribe to him any time [m] for the calling of that aſſembly.' This was generally conſtrued as a declaration that, during this reign, no more parliaments were intended to be ſummoned;[n] and every meaſure of the king's confirmed a ſuſpicion ſo diſagreeable to the generality of the people.

IRREGULAR LEVIES OF MONEY.

TONNAGE and poundage continued to be levied by the royal authority alone. The former additional impoſitions were ſtill exacted. Even new impoſitions were laid on ſeveral kinds of merchandiſe.[o]

The cuſtom-houſe officers received orders from the council to enter into any houſe, warehouſe, or cellar; to ſearch any trunk or cheſt; and to break any bulk whatever; in default of the payment of cuſtoms.[p]

In order to exerciſe the militia, and to keep them in good order, each county, by an edict of the council, was aſſeſſed in a certain ſum for maintaining a muſter-maſter, appointed for that ſervice.[q]

Compoſitions were openly made with recuſants, and the popiſh religion became a regular part of the revenue. This was all the perſecution which it underwent during the reign of Charles.[r]

A commiſſion was granted for compounding with ſuch as were poſſeſſed of crown lands upon defective titles; and on this pretence ſome money was exacted from the people.[s]

There was a law of Edward II,[t] that whoever was poſſeſſed of twenty pounds a year in land ſhould be obliged, when ſummoned, to appear and to receive the order of knighthood. Twenty pounds, at that time, partly by the change of denomination, partly by that in the value of money, were equivalent to two hundred in the ſeventeenth century; and it ſeemed juſt that the king ſhould not ſtrictly inſiſt on the letter of the law, and oblige people of ſo ſmall revenue to accept of that expenſive honour. Edward VI,[u] and queen Elizabeth,[x] who had both of them made uſe of this expedient for raiſing money, had ſummoned only thoſe who were poſſeſſed of forty pounds a year and upwards to receive knighthood, or compound for their neglect; and Charles imitated their example in granting the ſame indulgence. Commiſſioners were appointed for fixing the rates of compoſition; and inſtructions were given to theſe commiſſioners not to accept of a leſs ſum than would have been due by the party upon a tax of three ſubſidies and a half.[y] Nothing proves more plainly how ill diſpoſed the people were to the meaſures of the crown, than to obſerve that they loudly complained of an expedient, founded on poſitive ſtatute, and warranted by ſuch recent precedents. The law was pretended to be obſolete, though only one reign had intervened ſince the laſt execution of it.

SEVERITIES OF THE STAR CHAMBER AND HIGH COMMISSION.

BARNARD, lecturer of St. Sepulchre's, London, uſed this expreſſion in his prayer before ſermon; 'Lord, open the eyes of the queen's majeſty, that ſhe may ſee Jeſus Chriſt, whom ſhe has pierced with her infidelity, ſuperſtition, and idolatry.' He was queſtioned in the high commiſſion court for this inſult on the queen; but, upon his ſubmiſſion, diſmiſſed.[z] Leighton, who had

written libels againſt the king, the queen, the biſhops, and the whole adminiſtration, was condemned by a very ſevere, if not a cruel, ſentence; but the execution of it was ſuſpended for ſome time, in expectation of his ſubmiſſion.[a] All the ſeverities, indeed, of this reign were exerciſed againſt thoſe who triumphed in their ſufferings, who courted perſecution, and braved authority: and, on that account, their puniſhment may be deemed the more juſt, but the leſs prudent. To have neglected them entirely, had it been conſiſtent with order and public ſafety, had been the wiſeſt meaſure that could have been embraced, as perhaps it had been the moſt ſevere puniſhment that could have been inflicted on theſe zealots.

In order to gratify the clergy with a magnificent fabric, ſubſcriptions were ſet on foot for repairing and rebuilding St. Paul's; and the king, by his countenance and example, encouraged this laudable undertaking.[b] By order of the privy council, St. Gregory's church was removed, as an impediment to the project of extending and beautifying the cathedral. Some houſes and ſhops likewiſe were pulled down, and compenſation was made to the owners.[c] As there was no immediate proſpect of aſſembling a parliament, ſuch acts of power in the king became neceſſary; and in no former age would the people have entertained any ſcruple with regard to them. It muſt be remarked that the puritans were extremely averſe to the raiſing of this ornament to the capital; it favoured, as they pretended, of popiſh ſuperſtition.

A ſtamp duty was impoſed on cards: a new tax, which of itſelf was liable to no objection, but appeared of dangerous conſequence when conſidered as arbitrary and illegal.[d]

Monopolies were revived; an oppreſſive method of levying money, being unlimited, as well as deſtructive of induſtry. The laſt parliament of James, which aboliſhed monopolies, had left

an equitable exception in favour of new inventions; and on pretence of theſe, and of erecting new companies and corporations, was this grievance now renewed. The manufacture of ſoap was given to a company who paid a ſum for their patent.[e] Leather, ſalt, and many other commodities, even down to linen rags, were likewiſe put under reſtrictions.

It is affirmed by Clarendon that ſo little benefit was reaped from theſe projects, that, of two hundred thouſand pounds thereby levied on the people, ſcarcely fifteen hundred came into the king's coffers. Though we ought not to ſuſpect the noble hiſtorian of exaggerations to the diſadvantage of Charles's meaſures, this fact, it muſt be owned, appears ſomewhat incredible. The ſame author adds, that the king's intention was to teach his ſubjects how unthrifty a thing it was to refuſe reaſonable ſupplies to the crown. An imprudent project! to offend a whole nation, under the view of puniſhment; and to hope, by acts of violence, to break their refractory ſpirits, without being poſſeſſed of any force to prevent reſiſtance!

The council of York had been firſt erected, after a rebellion, by a patent from Henry VIII, without any authority of parliament; and this exerciſe of power, like many others, was indulged to that arbitrary monarch. This council had long acted chiefly as a criminal court; but, beſides ſome innovations introduced by James, Charles thought proper, ſome time after Wentworth was made preſident, to extend its powers, and to give it a large civil juriſdiction,[f] and that in ſome reſpects diſcretionary. It is not improbable that the king's intention was only to prevent inconveniences which aroſe from the bringing of every cauſe, from the moſt diſtant parts of the kingdom, into Weſtminſter-hall; but the conſequence, in the mean time, of this meaſure, was the putting of all the northern counties out of the protection of ordinary law, and ſubjecting them to an authority

ſomewhat arbitrary. Some irregular acts of that council were this year (1632) complained of.[g]

The court of ſtar chamber extended its authority; and it was matter of complaint that it encroached upon the juriſdiction of the other courts; impoſing heavy fines and inflicting ſevere puniſhment, beyond the uſual courſe of juſtice. Sir David Foulis was fined five thouſand pounds, chiefly becauſe he had diſſuaded a friend from compounding with the commiſſioners of knighthood.[h]

Prynne, a barriſter of Lincoln's-inn, had written an enormous quarto of a thouſand pages, which he called Hiſtrio-Maſtyx. Its profeſſed purpoſe was to decry ſtage plays, comedies, interludes, muſic, dancing; but the author likewiſe took occaſion to declaim againſt hunting, public feſtivals, Chriſtmas-keeping, bonfires, and Maypoles. His zeal againſt all theſe levities, he ſays, was firſt moved by obſerving that plays ſold better than the choiceſt ſermons, and that they were frequently printed on finer paper than the Bible itſelf. Beſides, that the players were often papiſts, and deſperately wicked; the playhouſes, he affirms, are Satan's chapels, the play-haunters little better than incarnate devils; and ſo many ſteps in a dance, ſo many paces to hell. The chief crime of Nero he repreſents to have been his frequenting and acting of plays; and thoſe, who nobly conſpired his death, were principally moved to it, as he affirms, by their indignation at that enormity. The reſt of his thouſand pages is of a like ſtrain. He had obtained a licenſe from archbiſhop Abbot's chaplain, yet was he indicted in the ſtar chamber as a libeller. It was thought ſomewhat hard that general invectives againſt plays ſhould be interpreted into ſatires againſt the king and queen, merely becauſe they frequented theſe amuſements, and becauſe the queen ſometimes acted a part in paſtorals and interludes, which were repreſented at court. The author, it muſt be owned, had, in

plainer terms, blamed the hierarchy, the ceremonies, the innovations in religious worſhip, and the new ſuperſtitions, introduced by Laud;[i] and this, probably, together with the obſtinacy and petulance of his behaviour before the ſtar chamber, was the reaſon why his ſentence was ſo ſevere. He was condemned to be put from the bar; to ſtand on the pillory in two places, Weſtminſter and Cheapſide; to loſe both his ears, one in each place; to pay five thouſand pounds fine to the king; and to be impriſoned during life.[k]

This ſame Prynne was a great hero among the puritans; and it was chiefly with a view of mortifying that ſect that, though of an honourable profeſſion, he was condemned by the ſtar chamber to ſo ignominious a puniſhment. The thorough-paced puritans were diſtinguiſhable by the ſourneſs and auſterity of their manners, and by their averſion to all pleaſure and ſociety.[l] To inſpire them with better humour was certainly, both for their own ſake and that of the public, a laudable intention in the court; but whether pillories, fines, and priſons, were proper expedients for that purpoſe, may admit of ſome queſtion.

Another expedient which the king tried, in order to infuſe cheerfulneſs into the national devotion, was not much more ſucceſsful. He renewed his father's edict for allowing ſports and recreations on Sunday to ſuch as attended public worſhip; and he ordered his proclamation for that purpoſe to be publicly read by the clergy after divine ſervice.[m] Thoſe who were puritanically affected refuſed obedience, and were puniſhed by ſuſpenſion or deprivation. The differences between the ſects were before ſufficiently great; nor was it neceſſary to widen them farther by theſe inventions.

Some encouragement and protection, which the king and the biſhops gave to wakes, church-ales, bride-ales, and other cheer-

ful feſtivals of the common people, were the objects of like ſcandal to the puritans.[n]

This year (1633) Charles made a journey to Scotland, attended by the court, in order to hold a parliament there, and to paſs through the ceremony of his coronation. The nobility and gentry of both kingdoms rivaled each other in expreſſing all duty and reſpect to the king, and in ſhewing mutual friendſhip and regard to each other. No one could have ſuſpected, from exterior appearances, that ſuch dreadful ſcenes were approaching.

One chief article of buſineſs (for it deſerves the name) which the king tranſacted in this parliament, was, beſides obtaining ſome ſupply, to procure authority for ordering the habits of clergymen.[o] The act did not paſs without oppoſition and difficulty. The dreadful ſurplice was before men's eyes; and they apprehended, with ſome reaſon, that, under ſanction of this law, it would ſoon be introduced among them. Though the king believed that his prerogative entitled him to a power, in general, of directing whatever belonged to the exterior government of the church, this was deemed a matter of too great importance to be ordered without the ſanction of a particular ſtatute.

Immediately after the king's return to England he heard of archbiſhop Abbot's death; and without delay he conferred that dignity on his favourite, Laud; who, by this acceſſion of authority, was now enabled to maintain eccleſiaſtical diſcipline with greater rigour, and to aggravate the general diſcontent in the nation.

Laud obtained the biſhopric of London for his friend Juxon; and, about a year after the death of ſir Richard Weſton, created earl of Poland, had intereſt enough to engage the king to make that prelate high treaſurer. Juxon was a perſon of great integrity, mildneſs, and humanity, and endued with a good underſtanding;[p] yet did this laſt promotion give general offence. His

birth and character were deemed too obſcure for a man raiſed to one of the higheſt offices of the crown. And the clergy, it was thought, were already too much elated by former inſtances of the king's attachment to them, and needed not this farther encouragement to aſſume dominion over the laity.[q] The puritans, likewiſe, were much diſſatisfied with Juxon, notwithſtanding his eminent virtues, becauſe he was a lover of profane field ſports and hunting.

SHIP MONEY. 1634.

SHIP MONEY was now introduced. The firſt writs of this kind had been directed to ſeaport towns only: but ſhip money was at this time levied on the whole kingdom; and each county was rated at a particular ſum, which was afterwards aſſeſſed upon individuals.[r] The amount of the whole tax was very moderate, little exceeding two hundred thouſand pounds: it was levied upon the people with equality: the money was entirely expended on the navy, to the great honour and advantage of the kingdom. As England had no military force, while all the other powers of Europe were ſtrongly armed, a fleet ſeemed abſolutely neceſſary for her ſecurity: and it was obvious that a navy muſt be built and equipped at leiſure, during peace; nor could it poſſibly be fitted out on a ſudden emergence, when the danger became urgent: yet all theſe conſiderations could not reconcile the people to the impoſition. It was entirely arbitrary; by the ſame right any other tax might be impoſed; and men thought a powerful fleet, though very deſirable both for the credit and ſafety of the kingdom, but an unequal recompenſe for their liberties, which they apprehended were thus ſacrificed to the obtaining of it.

England, it muſt be owned, was, in this reſpect, unhappy in its preſent ſituation, that the king had entertained a very dif-

ferent idea of the conſtitution from that which began in general to prevail among his ſubjects. He did not regard national privileges as ſo ſacred and inviolable, that nothing but the moſt extreme neceſſity could juſtify an infringement of them. He conſidered himſelf as the ſupreme magiſtrate, to whoſe care heaven, by his birthright, had committed his people, whoſe duty it was to provide for their ſecurity and happineſs, and who was veſted with ample diſcretionary powers for that ſalutary purpoſe. If the obſervance of ancient laws and cuſtoms was conſiſtent with the preſent convenience of government, he thought himſelf obliged to comply with that rule, as the eaſieſt, the ſafeſt, and what procured the moſt prompt and willing obedience. But, when a change of circumſtances, eſpecially if derived from the obſtinacy of the people, required a new plan of adminiſtration, national privileges he thought muſt yield to ſupreme power; nor could any order of the ſtate oppoſe any right to the will of the ſovereign, directed to the good of the public.[s] That theſe principles of government were derived from the uniform tenor of the Engliſh laws it would be raſh to affirm. The fluctuating nature of the conſtitution, the impatient humour of the people, and the variety of events, had, no doubt, in different ages, produced exceptions and contradictions. Theſe obſervations alone may be eſtabliſhed on both ſides, that the appearances were ſufficiently ſtrong in favour of the king to apologize for his following ſuch maxims; and that public liberty muſt be ſo precarious under this exorbitant prerogative, as to render an oppoſition not only excuſable, but laudable in the people.[t]

Some laws had been enacted, during the reign of Henry VII, againſt depopulation, or the converting of arable lands into paſture. By a decree of the ſtar chamber ſir Anthony Roper was fined four thouſand pounds for an offence of that nature.[u] This ſevere ſentence was intended to terrify others into compoſition;

and above thirty thouſand pounds were levied by that expedient.[x] Like compoſitions, or, in default of them, heavy fines, were required for encroachments on the king's foreſts; whoſe bounds, by decrees deemed arbitrary, were extended much beyond what was uſual.[y] The bounds of one foreſt, that of Rockingham, were increaſed from ſix miles to ſixty.[z] The ſame refractory humour, which made the people refuſe to the king voluntary ſupplies, diſpoſed them with better reaſon to murmur againſt theſe irregular methods of taxation.

Morley was fined ten thouſand pounds for reviling, challenging, and ſtriking, in the court of Whitehall, ſir George Theobald, one of the king's ſervants.[a] This fine was thought exorbitant; but whether it was compounded, as was uſual in fines impoſed by the ſtar chamber, we are not informed.

Alliſon had reported that the archbiſhop of York had incurred the king's diſpleaſure, by aſking a limited toleration for the catholics, and an allowance to build ſome churches for the exerciſe of their religion. For this ſlander againſt the archbiſhop he was condemned, in the ſtar chamber, to be fined one thouſand pounds, to be committed to priſon, to be bound to his good behaviour during life, to be whipped, and to be ſet on the pillory at Weſtminſter, and in three other towns in England. Robins, who had been an accomplice in the guilt, was condemned by a ſentence equally ſevere.[b] Such events are rather to be conſidered as rare and detached incidents, collected by the ſevere ſcrutiny of hiſtorians, than as proofs of the prevailing genius of the king's adminiſtration, which ſeems to have been more gentle and equitable than that of moſt of his predeceſſors: there were, on the whole, only five or ſix ſuch inſtances of rigour during the courſe of fifteen years, which elapſed before the meeting of the long parliament. And it is alſo certain that ſcandal againſt the great, though ſeldom proſecuted at preſent, is, however, in the eye of

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the law, a great crime, and ſubjects the offender to very heavy penalties.

There are other inſtances of the high reſpect paid to the nobility and to the great in that age; when the powers of monarchy, though diſputed, ſtill maintained themſelves in their priſtine vigour. Clarendon [c] tells us a pleaſant incident to this purpoſe: a waterman, belonging to a man of quality, having a ſquabble with a citizen about his fare, ſhewed his badge, the creſt of his maſter, which happened to be a ſwan; and thence inſiſted on better treatment from the citizen. But the other replied, careleſsly, that he did not trouble his head about that gooſe. For this offence he was ſummoned before the marſhal's court; was fined, as having opprobrioufly defamed the nobleman's creſt, by calling the ſwan a gooſe; and was in effect reduced to beggary.

Sir Richard Granvile had thought himſelf ill uſed by the earl of Suffolk in a law-ſuit; and he was accuſed before the ſtar chamber of having ſaid of that nobleman that he was a baſe lord. The evidence againſt him was ſomewhat lame; yet, for this ſlight offence, inſufficiently proved, he was condemned to pay a fine of eight thouſand pounds; one half to the earl, the other to the king.[d]

Sir George Markham, following a chaſe where lord Darcy's huntſman was exerciſing his hounds, kept cloſer to the dogs than was thought proper by the huntſman, who, beſides other rudeneſs, gave him foul language, which ſir George returned with a ſtroke of his whip. The fellow threatened to complain to his maſter. The knight replied, if his maſter ſhould juſtify ſuch inſolence, he would ſerve him in the ſame manner, or words to that effect. Sir George was ſummoned before the ſtar chamber, and fined ten thouſand pounds. 'So fine a thing was it in thoſe days to be a lord!' A natural reflection of lord Lanſ-

down's, in relating this incident.[e] The people, in vindicating their liberties from the authority of the crown, threw off alſo the yoke of the nobility. It is proper to remark that this laſt incident happened early in the reign of James. The preſent practice of the ſtar chamber was far from being an innovation; though the preſent diſpoſitions of the people made them repine more at this ſervitude.

Charles had imitated the example of Elizabeth and James; and had iſſued proclamations, forbidding the landed gentlemen and the nobility to live idly in London, and ordering them to retire to their country ſeats.[f] For diſobedience to this edict many were indicted by the attorney-general, and were fined in the ſtar chamber.[g] This occaſioned diſcontents; and the ſentences were complained of as illegal. But, if proclamations had authority, of which nobody pretended to doubt, muſt they not be put in execution? In no inſtance, I muſt confeſs, does it more evidently appear what confuſed and uncertain ideas were, during that age, entertained concerning the Engliſh conſtitution.

Ray, having exported fullers-earth contrary to the king's proclamation, was, beſides the pillory, condemned in the ſtar chamber to a fine of two thouſand pounds.[h] Like fines were levied on Terry, Eman, and others, for diſobeying a proclamation which forbad the exportation of gold.[i] In order to account for the ſubſequent convulſions, even theſe incidents are not to be overlooked as frivolous or contemptible. Such ſeverities were afterwards magnified into the greateſt enormities.

There remains a proclamation of this year, prohibiting hackney coaches from ſtanding in the ſtreet.[k] We are told that there were not above twenty coaches of that kind in London: there are at preſent near eight hundred.

The effects of ſhip money began now to appear. A formidable fleet of ſixty ſail, the greateſt that England had ever known,

was equipped under the earl of Northumberland, who had orders to attack the herring buſſes of the Dutch, which fiſhed in what were called the Britiſh ſeas. The Dutch were content to pay thirty thouſand pounds for a licenſe during this year (1636). They openly denied, however, the claim of dominion in the ſeas beyond the friths, bays, and ſhores; and it may be queſtioned whether the laws of nations warrant any farther pretenſions.

This year the king ſent a ſquadron againſt Sallee; and, with the aſſiſtance of the emperor of Morocco, deſtroyed that receptacle of pirates, by whom the Engliſh commerce, and even the Engliſh coaſts, had long been infeſted.

Burton, a divine, and Baſtwick, a phyſician, were tried in the ſtar chamber for ſeditious and ſchiſmatical libels, and were condemned to the ſame puniſhment that had been inflicted on Prynne. Prynne himſelf was tried for a new offence; and, together with another fine of five thouſand pounds, was condemned to loſe what remained of his ears. Beſides that theſe writers had attacked with great ſeverity, and even an intemperate zeal, the ceremonies, rites, and government of the church; the very anſwers which they gave into the court were ſo full of contumacy and of invectives againſt the prelates, that no lawyer could be prevailed on to ſign them.[l] The rigours, however, which they underwent, being ſo unworthy men of their profeſſion, gave general offence; and the patience, or rather alacrity, with which they ſuffered, increaſed ſtill farther the indignation of the public.[m] The ſeverity of the ſtar chamber, which was generally aſcribed to Laud's paſſionate diſpoſition, was perhaps in itſelf ſomewhat blameable; but will naturally to us appear enormous, who enjoy, in the utmoſt latitude, that liberty of the preſs which is eſteemed ſo neceſſary in every monarchy, confined by ſtrict legal limitations. But, as theſe limitations were not regularly

fixed during the age of Charles, nor at any time before, ſo was this liberty totally unknown, and was generally deemed, as well as religious toleration, incompatible with all good government. No age or nation, among the moderns, had ever ſet an example of ſuch an indulgence: and it ſeems unreaſonable to judge of the meaſures embraced during one period by the maxims which prevail in another.

Burton, in his book where he complained of innovations, mentioned, among others, that a certain Wedneſday had been appointed for a faſt, and that the faſt was ordered to be celebrated without any ſermons.[n] The intention, as he pretended, of that novelty was, by the example of a faſt without ſermons, to ſuppreſs all the Wedneſday's lectures in London. It is obſervable that the church of Rome and that of England, being both of them lovers of form and ceremony and order, are more friends to prayer than preaching; while the puritanical ſectaries, who find that the latter method of addreſs, being directed to a numerous audience preſent and viſible, is more inflaming and animating, have always regarded it as the chief part of divine ſervice. Such circumſtances, though minute, it may not be improper to tranſmit to poſterity; that thoſe, who are curious of tracing the hiſtory of the human mind, may remark how far its ſeveral ſingularities coincide in different ages.

Certain zealots had erected themſelves into a ſociety for buying in of impropriations, and transferring them to the church; and great ſums of money had been bequeathed to the ſociety for theſe purpoſes. But it was ſoon obſerved that the only uſe which they made of their funds was to eſtabliſh lecturers in all the conſiderable churches; men who, without being ſubjected to epiſcopal authority, employed themſelves entirely in preaching and ſpreading the fire of puritaniſm. Laud took care, by a decree which was paſſed in the court of exchequer, and which was

much complained of, to aboliſh this ſociety, and to ſtop their progreſs.[o] It was, however, ſtill obſerved that throughout England the lecturers were all of them puritanically affected; and from them the clergymen, who contented themſelves with reading prayers and homilies to the people, commonly received the reproachful appellation of 'dumb dogs.'

The puritans, reſtrained in England, ſhipped themſelves off for America, and laid there the foundations of a government which poſſeſſed all the liberty, both civil and religious, of which they found themſelves bereaved in their native country. But their enemies, unwilling that they ſhould any where enjoy eaſe and contentment, and dreading perhaps the dangerous conſequences of ſo diſaffected a colony, prevailed on the king to iſſue a proclamation, debarring theſe devotees acceſs even into thoſe inhoſpitable deſerts.[p] Eight ſhips, lying in the Thames, and ready to ſail, were detained by order of council; and in theſe were embarked ſir Arthur Hazelrig, John Hambden, John Pym, and Oliver Cromwell;[q] who had reſolved for ever to abandon their native country, and fly to the other extremity of the globe, where they might enjoy lectures and diſcourſes of any length or form which pleaſed them. The king had afterwards full leiſure to repent this exerciſe of his authority.

The biſhop of Norwich, by rigorouſly inſiſting on uniformity, had baniſhed many induſtrious tradeſmen from that city, and chaſed them into Holland.[r] The Dutch began to be more intent on commerce than on orthodoxy; and thought that the knowledge of uſeful arts and obedience to the laws formed a good citizen, though attended with errors in ſubjects where it is not allowable for human nature to expect any poſitive truth or certainty.

Complaints about this time were made, that the petition of right was in ſome inſtances violated, and that, upon a commit-

THE EMIGRATION OF CROMWELL PREVENTED.

ment by the king and council, bail or releaſement had been refuſed to Jennings, Pargiter, and Danvers.[s]

Williams, biſhop of Lincoln, a man of ſpirit and learning, a popular prelate, and who had been lord keeper, was fined ten thouſand pounds by the ſtar chamber, committed to the tower during the king's pleaſure, and ſuſpended from his office. This ſevere ſentence was founded on frivolous pretences, and was more aſcribed to Laud's vengeance than to any guilt of the biſhop.[t] Laud, however, had owed his firſt promotion to the good offices of that prelate with king James. But ſo implacable was the haughty primate, that he raiſed up a new proſecution againſt Williams on the ſtrangeſt pretence imaginable. In order to levy the fine above mentioned, ſome officers had been ſent to ſeize all the furniture and books of his epiſcopal palace of Lincoln; and, in rummaging the houſe, they found in a corner ſome neglected letters, which had been thrown by as uſeleſs. Theſe letters were written by one Oſbaldiſtone, a ſchoolmaſter, and were directed to Williams. Mention was there made of 'a little great man;' and in another paſſage the ſame perſon was denominated 'a little urchin.' By inferences and conſtructions theſe epithets were applied to Laud; and on no better foundation was Williams tried anew, as having received ſcandalous letters, and not diſcovering that private correſpondence. For this offence another fine of eight thouſand pounds was levied on him. Oſbaldiſtone was likewiſe brought to trial, and condemned to pay a fine of five thouſand pounds, and to have his ears nailed to the pillory before his own ſchool. He ſaved himſelf by flight; and left a note in his ſtudy, wherein he ſaid that he was gone beyond Canterbury.[u]

Theſe proſecutions of Williams ſeem to have been the moſt iniquitous meaſure purſued by the court during the time that the uſe of parliaments was ſuſpended. Williams had been in-

debted for all his fortune to the favour of James; but, having quarrelled, firſt with Buckingham, then with Laud, he threw himſelf into the country party; and with great firmneſs and vigour oppoſed all the meaſures of the king. A creature of the court to become its obſtinate enemy; a biſhop to countenance puritans; theſe circumſtances excited indignation, and engaged the miniſters in thoſe ſevere meaſures. Not to mention, what ſome writers relate, that, before the ſentence was pronounced againſt him, Williams was offered a pardon upon his ſubmiſſion, which he refuſed to make. The court was apt to think that ſo refractory a ſpirit muſt by any expedient be broken and ſubdued.

In a former trial which Williams underwent * (for theſe were not the firſt) there was mentioned in court a ſtory, which, as it diſcovers the genius of parties, may be worth relating. Sir John Lambe urging him to proſecute the puritans, the prelate aſked what ſort of people theſe ſame puritans were? Sir John replied that 'to the world they ſeemed to be ſuch as would not ſwear, whore, or be drunk; but they would lie, cozen, and deceive: that they would frequently hear two ſermons a day, and repeat them too, and that ſometimes they would faſt all day long.' This character muſt be conceived to be ſatirical; yet it may be allowed that that ſect was more averſe to ſuch irregularities as proceed from the exceſs of gaiety and pleaſure than to thoſe enormities which are the moſt deſtructive of ſociety. The former were oppoſite to the very genius and ſpirit of their religion, the latter were only a tranſgreſſion of its precepts; and it was not difficult for a gloomy enthuſiaſt to convince himſelf that a ſtrict obſervance of the one would atone for any violation of the other.

In 1632 the treaſurer, Portland, had inſiſted with the vintners that they ſhould ſubmit to a tax of a penny a quart upon all

the wine which they retailed: but they rejected the demand. In order to puniſh them, a decree ſuddenly, without much inquiry or examination, paſſed in the ſtar chamber, prohibiting them to ſell or dreſs victuals in their houſes.[y] Two years after they were queſtioned for the breach of this decree; and, in order to avoid puniſhment, they agreed to lend the king ſix thouſand pounds. Being threatened, during the ſubſequent years, with fines and proſecutions, they at laſt compounded the matter, and ſubmitted to pay half of that duty[z] which was at firſt demanded of them. It required little foreſight to perceive that the king's right of iſſuing proclamations muſt, if proſecuted, draw on a power of taxation.

Lilburne was accuſed before the ſtar chamber of publiſhing and diſperſing ſeditious pamphlets. He was ordered to be examined; but refuſed to take the oath uſual in that court, that he would anſwer interrogatories, even though they might lead him to accuſe himſelf. For this contempt, as it was interpreted, he was condemned to be whipped, pilloried, and impriſoned. While he was whipped at the cart, and ſtood on the pillory, he harangued the populace, and declaimed violently againſt the tyranny of biſhops. From his pockets alſo he ſcattered pamphlets, ſaid to be ſeditious, becauſe they attacked the hierarchy. The ſtar chamber, which was ſitting at that very time, ordered him immediately to be gagged. He ceaſed not, however, though both gagged and pilloried, to ſtamp with his foot, and geſticulate, in order to ſhew the people that, if he had it in his power, he would ſtill harangue them. This behaviour gave freſh provocation to the ſtar chamber; and they condemned him to be impriſoned in a dungeon, and to be loaded with irons.[a] It was found difficult to break the ſpirits of men who placed both their honour and their conſcience in ſuffering.

The jealouſy of the church appeared in another inſtance leſs tragical. Archy, the king's fool, who by his office had the privilege of jeſting on his maſter and the whole court, happened unluckily to try his wit upon Laud, who was too ſacred a perſon to be played with. News having arrived from Scotland of the firſt commotions excited by the liturgy, Archy, ſeeing the primate paſs by, called to him, 'Who's fool now, my lord?' For this offence Archy was ordered, by ſentence of the council, to have his coat pulled over his head, and to be diſmiſſed the king's ſervice.[b]

Here is another inſtance of that rigorous ſubjection in which all men were held by Laud. Some young gentlemen of Lincoln's-inn, heated by their cups, having drunk confuſion to the archbiſhop, were at his inſtigation cited before the ſtar chamber. They applied to the earl of Dorſet for protection. 'Who bears witneſs againſt you?' ſaid Dorſet. 'One of the drawers,' they ſaid. 'Where did he ſtand when you were ſuppoſed to drink this health?' ſubjoined the earl. 'He was at the door,' they replied, 'going out of the room.' 'Tuſh!' cried he, 'the drawer was miſtaken; you drank confuſion to the archbiſhop of Canterbury's enemies; and the fellow was gone before you pronounced the laſt word.' This hint ſupplied the young gentlemen with a new method of defence; and, being adviſed by Dorſet to behave with great humility and great ſubmiſſion to the primate, the modeſty of their carriage, the ingenuity of their apology, with the patronage of that noble lord, ſaved them from any ſeverer puniſhment than a reproof and admonition, with which they were diſmiſſed.[c]

TRIAL OF HAMBDEN. 1637.

THIS year John Hambden acquired, by his ſpirit and courage, univerſal popularity throughout the nation, and has merited great renown with poſterity, for the bold ſtand which he made in defence of the laws and liberties of his country. After the impoſing of ſhip money, Charles, in order to diſcourage all oppoſition, had propoſed this queſtion to the judges; 'Whether, in a caſe of neceſſity, for the defence of the kingdom, he might not impoſe this taxation; and whether he were not ſole judge of the neceſſity?' Theſe guardians of law and liberty replied, with great complaiſance, that, in a caſe of neceſſity, he might impoſe that taxation, and that he was ſole judge of the neceſſity.[d] Hambden had been rated at twenty ſhillings for an eſtate which he poſſeſſed in the county of Buckingham: yet, notwithſtanding this declared opinion of the judges; notwithſtanding the great power, and ſometimes rigorous maxims, of the crown; notwithſtanding the ſmall proſpect of relief from parliament; he reſolved, rather than tamely ſubmit to ſo illegal an impoſition, to ſtand a legal proſecution, and expoſe himſelf to all the indignation of the court. The caſe was argued, during twelve days, in the exchequer chamber, before all the judges of England; and the nation regarded, with the utmoſt anxiety, every circumſtance of this celebrated trial. The event was eaſily foreſeen: but the principles, and reaſonings, and behaviour, of the parties engaged in the trial, were much canvaſſed and inquired into; and nothing could equal the favour paid to the one ſide, except the hatred which attended the other.

It was urged by Hambden's counſel, and by his partiſans in the nation, that the plea of neceſſity was in vain introduced

into a trial of law; ſince it was the nature of neceſſity to aboliſh all law, and, by irreſiſtible violence, to diſſolve all the weaker and more artificial ties of human ſociety. Not only the prince, in caſes of extreme diſtreſs, is exempted from the ordinary rules of adminiſtration; all orders of men are then levelled, and any individual may conſult the public ſafety by any expedient which his ſituation enables him to employ. But to produce ſo violent an effect, and ſo hazardous to every community, an ordinary danger or difficulty is not ſufficient; much leſs a neceſſity which is merely fictitious and pretended. Where the peril is urgent and extreme it will be palpable to every member of the ſociety; and, though all ancient rules of government are in that caſe abrogated, men will readily, of themſelves, ſubmit to that irregular authority which is exerted for their preſervation. But what is there in common between ſuch ſuppoſitions and the preſent condition of the nation? England enjoys a profound peace with all her neighbours: and, what is more, all her neighbours are engaged in furious and bloody wars among themſelves, and by their mutual enmities farther enſure her tranquillity. The very writs themſelves, which are iſſued for the levying of ſhip money, contradict the ſuppoſition of neceſſity, and pretend only that the ſeas are infeſted with pirates; a ſlight and temporary inconvenience, which may well await a legal ſupply from parliament. The writs likewiſe allow ſeveral months for equipping the ſhips; which proves a very calm and deliberate ſpecies of neceſſity, and one that admits of delay much beyond the forty days requiſite for ſummoning that aſſembly. It is ſtrange too that an extreme neceſſity, which is always apparent, and uſually comes to a ſudden criſis, ſhould now have continued, without interruption, for near four years, and ſhould have remained during ſo long a time inviſible to the whole kingdom. And, as to the pretenſion that the king is ſole judge of

the neceſſity; what is this but to ſubject all the privileges of the nation to his arbitrary will and pleaſure? To expect that the public will be convinced by ſuch reaſoning muſt aggravate the general indignation, by adding, to violence againſt men's perſons and their property, ſo cruel a mockery of their underſtanding.

In vain are precedents of ancient writs produced: theſe writs, when examined, are only found to require the ſeaports, ſometimes at their own charge, ſometimes at the charge of the counties, to ſend their ſhips for the defence of the nation. Even the prerogative, which empowered the crown to iſſue ſuch writs, is aboliſhed, and its exerciſe almoſt entirely diſcontinued from the time of Edward III;[e] and all the authority which remained, or was afterwards exerciſed, was to preſs ſhips into the public ſervice, to be paid for by the public. How wide are theſe precedents from a power of obliging the people at their own charge to build new ſhips, to victual and pay them for the public; nay, to furniſh money to the crown for that purpoſe! What ſecurity either againſt the farther extenſion of this claim, or againſt diverting to other purpoſes the public money ſo levied? The plea of neceſſity would warrant any other taxation as well as that of ſhip money: wherever any difficulty ſhall occur the adminiſtration, inſtead of endeavouring to elude or overcome it by gentle and prudent meaſures, will inſtantly repreſent it as a reaſon for infringing all ancient laws and inſtitutions. And, if ſuch maxims and ſuch practices prevail, what has become of national liberty? What authority is left to the great charter, to the ſtatutes, and to that very petition of right, which in the preſent reign had been ſo ſolemnly enacted by the concurrence of the whole legiſlature?

The defenceleſs condition of the kingdom while unprovided with a navy; the inability of the king, from his eſtabliſhed re-

venues, with the utmoſt care and frugality, to equip and maintain one; the impoſſibility of obtaining, on reaſonable terms, any voluntary ſupply from parliament; all theſe are reaſons of ſtate, not topics of law. If theſe reaſons appear to the king ſo urgent as to diſpenſe with the legal rules of government, let him enforce his edicts by his court of ſtar chamber, the proper inſtrument of irregular and abſolute power; not proſtitute the character of his judges by a decree which is not and cannot poſſibly be legal. By this means the boundaries at leaſt will be kept more diſtinct between ordinary law and extraordinary exertions of prerogative; and men will know that the national conſtitution is only ſuſpended during a preſent and difficult emergence, but has not undergone a total and fundamental alteration.

Notwithſtanding theſe reaſons, the prejudiced judges, [f] four excepted, gave ſentence in favour of the crown. Hambden, however, obtained by the trial the end for which he had ſo generouſly ſacrificed his ſafety and his quiet: the people were rouſed from their lethargy, and became ſenſible of the danger to which their liberties were expoſed. Theſe national queſtions were canvaſſed in every company; and the more they were examined, the more evidently did it appear to many that liberty was totally ſubverted, and an unuſual and arbitrary authority exerciſed over the kingdom. Slaviſh principles, they ſaid, concur with illegal practices; eccleſiaſtical tyranny gives aid to civil uſurpation; iniquitous taxes are ſupported by arbitrary puniſhments; and all the privileges of the nation, tranſmitted through ſo many ages, ſecured by ſo many laws, and purchaſed by the blood of ſo many heroes and patriots, now lie proſtrate at the feet of the monarch. What though public peace and national induſtry increaſed the commerce and opulence of the kingdom? This advantage was temporary, and due alone, not to any en-

couragement given by the crown, but to the ſpirit of the Engliſh, the remains of their ancient freedom. What though the perſonal character of the king, amidſt all his miſguided counſels, might merit indulgence, or even praiſe? He was but one man; and the privileges of the people, the inheritance of millions, were too valuable to be ſacrificed to his prejudices and miſtakes. Such, or more ſevere, were the ſentiments promoted by a great party in the nation: no excuſe on the king's part, or alleviation, how reaſonable ſoever, could be hearkened to or admitted: and, to redreſs theſe grievances, a parliament was impatiently longed for; or any other incident, however calamitous, that might ſecure the people againſt thoſe oppreſſions which they felt, or the greater ills which they apprehended, from the combined encroachments of church and ſtate.

CHAPTER LIII.

CHARLES I.

DISCONTENTS IN SCOTLAND....INTRODUCTION OF THE CANONS AND LITURGY....A TUMULT AT EDINBURGH....THE COVENANT ....A GENERAL ASSEMBLY....EPISCOPACY ABOLISHED....WAR.... A PACIFICATION....RENEWAL OF THE WAR....FOURTH ENGLISH PARLIAMENT....DISSOLUTION....DISCONTENTS IN ENGLAND.... ROUT AT NEWBURN....TREATY AT RIPPON....GREAT COUNCIL OF THE PEERS.

THE grievances under which the Engliſh laboured, when conſidered in themſelves, without regard to the conſtitution, ſcarcely deſerve the name; nor were they either burdenſome on the people's properties, or anywiſe ſhocking to the natural humanity of mankind. Even the impoſition of ſhip money, independent of the conſequences, was a great and evident advantage to the public, by the judicious uſe which the king made of the money levied by that expedient. And, though it was juſtly apprehended that ſuch precedents, if patiently ſubmitted to, would end in a total diſuſe of parliaments, and in the eſtabliſhment of arbitrary authority, Charles dreaded no oppoſition from the people, who are not commonly much affected with conſequences, and require ſome ſtriking motive to engage them in a reſiſtance of eſta-

bliſhed government. All eccleſiaſtical affairs were ſettled by law and uninterrupted precedent; and the church was become a conſiderable barrier to the power, both legal and illegal, of the crown. Peace too, induſtry, commerce, opulence; nay, even juſtice and lenity of adminiſtration, notwithſtanding ſome very few exceptions; all theſe were enjoyed by the people; and every other bleſſing of government, except liberty, or rather the preſent exerciſe of liberty and its proper ſecurity.[g] It ſeemed probable, therefore, that affairs might long have continued on the ſame footing in England, had it not been for the neighbourhood of Scotland; a country more turbulent, and leſs diſpoſed to ſubmiſſion and obedience. It was thence the commotions firſt aroſe; and it is therefore time for us to return thither, and to give an account of the ſtate of affairs in that kingdom.

DISCONTENTS IN SCOTLAND.

Though the pacific, and not unſkilful, government of James, and the great authority which he had acquired, had much allayed the feuds among the great families, and had eſtabliſhed law and order throughout the kingdom, the Scottiſh nobility were ſtill poſſeſſed of the chief power and influence over the people. Their property was extenſive; their hereditary juriſdictions and the feudal tenures increaſed their authority; and the attachment of the gentry to the heads of families eſtabliſhed a kind of voluntary ſervitude under the chieftains. Beſides that long abſence had much looſened the king's connexions with the nobility, who reſided chiefly at their country ſeats, they were in general at this time, though from ſlight cauſes, much diſguſted with the court. Charles, from the natural piety or ſuperſtition of his temper, was extremely attached to the eccleſiaſtics; and, as it is natural for men to perſuade themſelves that their

intereſt coincides with their inclination, he had eſtabliſhed it as a fixed maxim of policy to increaſe the power and authority of that order. The prelates, he thought, eſtabliſhed regularity and diſcipline among the clergy; the clergy inculcated obedience and loyalty among the people; and, as that rank of men had no ſeparate authority, and no dependance but on the crown, the royal power, it would ſeem, might with the greater ſafety be intruſted in their hands. Many of the prelates, therefore, were raiſed to the chief dignities of the ſtate.[h] Spotſwood, archbiſhop of St. Andrews, was created chancellor: nine of the biſhops were privy counſellors: the biſhop of Roſs aſpired to the office of treaſurer: ſome of the prelates poſſeſſed places in the exchequer: and it was even endeavoured to revive the firſt inſtitution of the college of juſtice, and to ſhare equally between the clergy and laity the whole judicial authority.[i] Theſe advantages poſſeſſed by the church, and which the biſhops did not always enjoy with ſuitable modeſty, diſguſted the haughty nobility, who, deeming themſelves much ſuperior in rank and quality to this new order of men, were diſpleaſed to find themſelves inferior in power and influence. Intereſt joined itſelf to ambition, and begat a jealouſy, leſt the epiſcopal ſees, which at the reformation had been pillaged by the nobles, ſhould again be enriched at the expenſe of that order. By a moſt uſeful and beneficial law the impropriations had already been raviſhed from the great men; competent ſalaries had been aſſigned to the impoveriſhed clergy from the tithes of each pariſh; and what remained the proprietor of the land was empowered to purchaſe at a low valuation.[k] The king likewiſe, warranted by ancient law and practice, had declared for a general reſumption of all crown lands alienated by his predeceſſors; and, though he took no ſtep towards the execution of this project, the very pretenſion to ſuch power had excited jealouſy and diſcontent.[l]

Notwithſtanding the tender regard which Charles bore to the whole church, he had been able, in Scotland, to acquire only the affection of the ſuperior rank among the clergy. The miniſters in general equalled, if not exceeded, the nobility in their prejudices againſt the court, againſt the prelates, and againſt epiſcopal authority.[m] Though the eſtabliſhment of the hierarchy might ſeem advantageous to the inferior clergy, both as it erected dignities to which all of them might aſpire, and as it beſtowed a luſtre on the whole body, and allured men of family into it, theſe views had no influence on the Scottiſh eccleſiaſtics. In the preſent diſpoſition of men's minds there was another circumſtance which drew conſideration, and counterbalanced power and riches, the uſual foundations of diſtinction among men; and that was, the fervour of piety, and the rhetoric, however barbarous, of religious lectures and diſcourſes. Checked by the prelates in the licenſe of preaching, the clergy regarded epiſcopal juriſdiction both as a tyranny and an uſurpation, and maintained a parity among eccleſiaſtics to be a divine privilege whch no human law could alter or infringe. While ſuch ideas prevailed the moſt moderate exerciſe of authority would have given diſguſt; much more that extenſive power which the king's indulgence encouraged the prelates to aſſume. The juriſdiction of preſbyteries, ſynods, and other democratical courts, was in a manner aboliſhed by the biſhops; and the general aſſembly itſelf had not been ſummoned for ſeveral years.[n] A new oath was arbitrarily impoſed on intrants, by which they ſwore to obſerve the articles of Perth, and ſubmit to the liturgy and canons. And, in a word, the whole ſyſtem of church government, during a courſe of thirty years, had been changed by means of the innovations introduced by James and Charles.

The people, under the influence of the nobility and clergy, could not fail to partake of the diſcontents which prevailed

among theſe two orders; and, where real grounds of complaint were wanting, they greedily laid hold of imaginary ones. The ſame horror againſt popery, with which the Engliſh puritans were poſſeſſed, was obſervable among the populace in Scotland; and among theſe, as being more uncultivated and uncivilized, ſeemed rather to be inflamed into a higher degree of ferocity. The genius of religion, which prevailed in the court and among the prelates, was of an oppoſite nature; and, having ſome affinity to the Romiſh worſhip, led them to mollify, as much as poſſible, the ſevere prejudices, and to ſpeak of the catholics in more charitable language, and with more reconciling expreſſions. From this foundation a panic fear of popery was eaſily raiſed; and every new ceremony or ornament, introduced into divine ſervice, was part of that great myſtery of iniquity which, from the encouragement of the king and the biſhops, was to overſpread the nation.° The few innovations which James had made were conſidered as preparatives to this grand deſign; and the farther alterations attempted by Charles were repreſented as a plain declaration of his intentions. Through the whole courſe of this reign nothing had more fatal influence, in both kingdoms, than this groundleſs apprehenſion, which with ſo much induſtry was propagated, and with ſo much credulity was embraced, by all ranks of men.

Amidſt theſe dangerous complaints and terrors of religious innovation, the civil and eccleſiaſtical liberties of the nation were imagined, and with ſome reaſon, not to be altogether free from invaſion.

The eſtabliſhment of the high commiſſion by James, without any authority of law, ſeemed a conſiderable encroachment of the crown, and erected the moſt dangerous and arbitrary of all courts, by a method equally dangerous and arbitrary. All the ſteps towards the ſettlement of epiſcopacy had indeed been

taken with conſent of parliament; the articles of Perth were confirmed in 1621; in 1633 the king had obtained a general ratification of every eccleſiaſtical eſtabliſhment: but theſe laws had leſs authority with the nation, as they were known to have paſſed contrary to the ſentiments even of thoſe who voted for them, and were in reality extorted by the authority and importunity of the ſovereign. The means, however, which both James and Charles had employed in order to influence the parliament, were entirely regular; and no reaſonable pretence had been afforded for repreſenting theſe laws as null or invalid.

But there prevailed among the greater part of the nation another principle, of the moſt important and moſt dangerous nature, and which, if admitted, deſtroyed entirely the validity of all ſuch ſtatutes. The eccleſiaſtical authority was ſuppoſed totally independent of the civil; and no act of parliament, nothing but the conſent of the church itſelf, was repreſented as ſufficient ground for the introduction of any change in religious worſhip or diſcipline. And, though James had obtained the vote of aſſemblies for receiving epiſcopacy and his new rites, it muſt be confeſſed that ſuch irregularities had prevailed in conſtituting theſe eccleſiaſtical courts, and ſuch violence in conducting them, that there were ſome grounds for denying the authority of all their acts. Charles, ſenſible that an extorted conſent, attended with ſuch invidious circumſtances, would rather be prejudicial to his meaſures, had wholly laid aſide the uſe of aſſemblies, and was reſolved, in conjunction with the biſhops, to govern the church by an authority to which he thought himſelf fully entitled, and which he believed inherent in the crown.

The king's great aim was to complete the work ſo happily begun by his father; to eſtabliſh diſcipline upon a regular ſyſtem of canons, to introduce a liturgy into public worſhip, and to render the eccleſiaſtical government of all his kingdoms re-

gular and uniform. Some views of policy might move him to this undertaking; but his chief motives were derived from principles of zeal and conſcience.

INTRODUCTION OF THE CANONS AND LITURGY.

THE canons for eſtabliſhing eccleſiaſtical juriſdiction were promulgated in 1635; and were received by the nation, though without much appearing oppoſition, yet with great inward apprehenſion and diſcontent. Men felt diſpleaſure at ſeeing the royal authority highly exalted by them, and repreſented as abſolute and uncontrollable. They ſaw theſe ſpeculative principles reduced to practice, and a whole body of eccleſiaſtical laws eſtabliſhed without any previous conſent [p] either of church or ſtate. They dreaded leſt, by a parity of reaſon, like arbitrary authority, from like pretences and principles, would be aſſumed in civil matters: they remarked that the delicate boundaries which ſeparate church and ſtate were already paſſed, and many civil ordinances eſtabliſhed by the canons, under colour of eccleſiaſtical inſtitutions: and they were apt to deride the negligence with which theſe important edicts had been compiled, when they found that the new liturgy or ſervice book was every where, under ſevere penalties, enjoined by them, though it had not yet been compoſed or publiſhed.[q] It was, however, ſoon expected; and in the reception of it, as the people are always moſt affected by what is external and expoſed to the ſenſes, it was apprehended that the chief difficulty would conſiſt.

The liturgy, which the king, from his own authority, impoſed on Scotland, was copied from that of England: but, leſt a ſervile imitation might ſhock the pride of his ancient kingdom, a few alterations, in order to ſave appearances, were made in it; and in that ſhape it was tranſmitted to the biſhops [r] at Edinburgh.

But the Scots had univerſally entertained a notion that, though riches and worldly glory had been ſhared out to them with a ſparing hand, they could boaſt of ſpiritual treaſures more abundant and more genuine than were enjoyed by any nation under heaven. Even their ſouthern neighbours, they thought, though ſeparated from Rome, ſtill retained a great tincture of the primitive pollution; and their liturgy was repreſented as a ſpecies of maſs, though with ſome leſs ſhew and embroidery.[s] Great prejudices, therefore, were entertained againſt it, even conſidered in itſelf; much more when regarded as a preparative, which was ſoon to introduce into Scotland all the abominations of popery. And, as the very few alterations which diſtinguiſhed the new liturgy from the Engliſh ſeemed to approach nearer to the doctrine of the real preſence, this circumſtance was deemed an undoubted confirmation of every ſuſpicion with which the people were poſſeſſed.[t]

TUMULT AT EDINBURGH.

EASTER-DAY was, by proclamation, appointed for the firſt reading of the ſervice in Edinburgh. But, in order to judge more ſurely of men's diſpoſitions, the council delayed the matter till the twenty-third of July; and they even gave notice, the Sunday before, of their intention to commence the uſe of the new liturgy. As no conſiderable ſymptoms of diſcontent appeared, they thought that they might ſafely proceed in their purpoſe;[u] and accordingly, in the cathedral church of St. Giles, the dean of Edinburgh, arrayed in his ſurplice, began the ſervice; the biſhop himſelf and many of the privy council being preſent. But no ſooner had the dean opened the book than a multitude of the meaneſt ſort, moſt of them women, clapping their hands, curſing, and crying out, 'A pope! a pope! antichriſt! ſtone him!' raiſed

ſuch a tumult that it was impoſſible to proceed with the ſervice. The biſhop, mounting the pulpit, in order to appeaſe the populace, had a ſtool thrown at him; the council was inſulted; and it was with difficulty that the magiſtrates were able, partly by authority, partly by force, to expel the rabble, and to ſhut the doors againſt them. The tumult, however, ſtill continued without; ſtones were thrown at the doors and windows; and, when the ſervice was ended, the biſhop, going home, was attacked, and narrowly eſcaped from the hands of the enraged multitude. In the afternoon the privy ſeal, becauſe he carried the biſhop in his coach, was ſo pelted with ſtones, and hooted at with execrations, and preſſed upon by the eager populace, that, if his ſervants with drawn ſwords had not kept them off, the biſhop's life had been expoſed to the utmoſt danger.[x]

Though it was violently ſuſpected that the low populace, who alone appeared, had been inſtigated by ſome of higher condition, yet no proof of it could be produced; and every one ſpake with diſapprobation of the licentiouſneſs of the giddy multitude.[y] It was not thought ſafe, however, to hazard a new inſult by any new attempt to read the liturgy; and the people ſeemed, for the time, to be appeaſed and ſatisfied. But, it being known that the king ſtill perſevered in his intentions of impoſing that mode of worſhip, men fortified themſelves ſtill farther in their prejudices againſt it; and great multitudes reſorted to Edinburgh, in order to oppoſe the introduction of ſo hated a novelty.[z] It was not long before they broke out in the moſt violent diſorder. The biſhop of Galloway was attacked in the ſtreets, and chaſed into the chamber where the privy council was ſitting. The council itſelf was beſieged, and violently attacked; the town council met with the ſame fate; and nothing could have ſaved the lives of all of them but their application to ſome popular lords, who protected them, and diſperſed the multitude. In this

ſedition the actors were of ſome better condition than in the former, though nobody of rank ſeemed as yet to countenance them.[a]

All men, however, began to unite, and to encourage each other, in oppoſition to the religious innovations introduced into the kingdom. Petitions to the council were ſigned and preſented by perſons of the higheſt quality: the women took part, and, as was uſual, with violence: the clergy every where loudly declaimed againſt popery and the liturgy, which they repreſented as the ſame: the pulpits reſounded with vehement invectives againſt antichriſt: and the populace, who firſt oppoſed the ſervice, was often compared to Balaam's aſs; an animal in itſelf ſtupid and ſenſeleſs, but whoſe mouth had been opened by the Lord, to the admiration of the whole world.[b] In ſhort, fanaticiſm mingling with faction, private intereſt with the ſpirit of liberty, ſymptoms appeared on all hands of the moſt dangerous inſurrection and diſorder.

The primate, a man of wiſdom and prudence, who was all along averſe to the introduction of the liturgy, repreſented to the king the ſtate of the nation: the earl of Traquaire, the treaſurer, ſet out for London, in order to lay the matter more fully before him: every circumſtance, whether the condition of England or of Scotland were conſidered, ſhould have engaged him to deſiſt from ſo hazardous an attempt: yet was Charles inflexible. In his whole conduct of this affair there appear no marks of the good ſenſe with which he was endowed; a lively inſtance of that ſpecies of character ſo frequently to be met with, where there are found parts and judgment in every diſcourſe and opinion, in many actions indiſcretion and imprudence. Men's views of things are the reſult of their underſtanding alone; their conduct is regulated by their underſtanding, their temper, and their paſſions.

To ſo violent a combination of a whole kingdom Charles had nothing to oppoſe but a proclamation; in which he pardoned all paſt offences, and exhorted the people to be more obedient for the future, and to ſubmit peaceably to the uſe of the liturgy. This proclamation was inſtantly encountered with a public proteſtation, preſented by the earl of Hume and lord Lindeſey; and this was the firſt time that men of quality had appeared in any violent act of oppoſition.[c] But this proved a criſis. The inſurrection, which had been advancing by a gradual and ſlow progreſs, now blazed up at once. No diſorder, however, attended it. On the contrary, a new order immediately took place. Four tables, as they were called, were formed in Edinburgh. One conſiſted of nobility, another of gentry, a third of miniſters, a fourth of burgeſſes. The table of gentry was divided into many ſubordinate tables, according to their different counties. In the hands of the four tables the whole authority of the kingdom was placed; orders were iſſued by them, and every where obeyed with the utmoſt regularity;[d] and among the firſt acts of their government was the production of the Covenant.

THE COVENANT. 1638.

This famous covenant conſiſted firſt of a renunciation of popery, formerly ſigned by James in his youth, and compoſed of many invectives, fitted to inflame the minds of men againſt their fellow creatures, whom heaven has enjoined them to cheriſh and to love. There followed a bond of union, by which the ſubſcribers obliged themſelves to reſiſt religious innovations, and to defend each other againſt all oppoſition whatſoever: and all this for the greater glory of God, and the greater honour and advantage of their king and country.[e] The people, without diſtinction of rank or condition, of age or ſex, flocked to the ſubſcription

of this covenant; few in their judgment diſapproved of it, and ſtill fewer durſt openly condemn it. The king's miniſters and counſellors themſelves were moſt of them ſeized by the general contagion: and none but rebels to God, and traitors to their country, it was thought, would withdraw themſelves from ſo ſalutary and ſo pious a combination.

The treacherous, the cruel, the unrelenting Philip, accompanied with all the terrors of a Spaniſh inquiſition, was ſcarcely, during the preceding century, oppoſed in the Low Countries with more determined fury than was now, by the Scots, the mild, the humane Charles, attended with his inoffenſive liturgy.

The king began to apprehend the conſequences. He ſent the marquis of Hamilton, as commiſſioner, with authority to treat with the covenanters. He required the covenant to be renounced and recalled: and he thought that on his part he had made very ſatisfactory conceſſions when he offered to ſuſpend the canons and the liturgy till, in a fair and legal way, they could be received; and ſo to model the high commiſſion that it ſhould no longer give offence to his ſubjects.[f] Such general declarations could not well give content to any, much leſs to thoſe who carried ſo much higher their pretenſions. The covenanters found themſelves ſeconded by the zeal of the whole nation. Above ſixty thouſand people were aſſembled in a tumultuous manner in Edinburgh and the neighbourhood. Charles poſſeſſed no regular forces in either of his kingdoms. And the diſcontents in England, though ſecret, were believed ſo violent, that the king, it was thought, would find it very difficult to employ in ſuch a cauſe the power of that kingdom. The more, therefore, the popular leaders in Scotland conſidered their ſituation, the leſs apprehenſion did they entertain of royal power, and the more rigorouſly did they inſiſt on entire ſatisfaction. In anſwer to Hamilton's demand of renouncing the covenant,

they plainly told him that they would ſooner renounce their baptiſm.[g] And the clergy invited the commiſſioner himſelf to ſubſcribe it, by informing him with what peace and comfort it had filled the hearts of all God's people; what reſolutions and beginnings of reformation of manners were ſenſibly perceived in all parts of the nation, above any meaſure they had ever before found, or could have expected; how great glory the Lord had received thereby; and what confidence they had that God would make Scotland a bleſſed kingdom.[h]

Hamilton returned to London; made another fruitleſs journey, with new conceſſions, to Edinburgh; returned again to London; and was immediately ſent back with ſtill more ſatisfactory conceſſions. The king was now willing entirely to aboliſh the canons, the liturgy, and the high commiſſion court: he was even reſolved to limit extremely the power of the biſhops, and was content if on any terms he could retain that order in the church of Scotland.[i] And, to enſure all theſe gracious offers, he gave Hamilton authority to ſummon firſt an aſſembly, then a parliament, where every national grievance might be redreſſed and remedied. Theſe ſucceſſive conceſſions of the king, which yet came ſtill ſhort of the riſing demands of the malcontents, diſcovered his own weakneſs, encouraged their inſolence, and gave no ſatisfaction. The offer, however, of an aſſembly and a parliament, in which they expected to be entirely maſters, was willingly embraced by the covenanters.

Charles, perceiving what advantage his enemies had reaped from their covenant, reſolved to have a covenant on his ſide; and he ordered one to be drawn up for that purpoſe. It conſiſted of the ſame violent renunciation of popery above mentioned; which, though the king did not approve of it, he thought it ſafeſt to adopt, in order to remove all the ſuſpicions entertained againſt him. As the covenanters, in their bond of mutual

defence againſt all oppoſition, had been careful not to except the king, Charles had formed a bond, which was annexed to this renunciation, and which expreſſed the duty and loyalty of the ſubſcribers to his majeſty.[k] But the covenanters, perceiving that this new covenant was only meant to weaken and divide them, received it with the utmoſt ſcorn and deteſtation; and without delay they proceeded to model the future aſſembly, from which ſuch great achievements were expected.[l]

A GENERAL ASSEMBLY.

The genius of that religion which prevailed in Scotland, and which every day was ſecretly gaining ground in England, was far from inculcating deference and ſubmiſſion to the eccleſiaſtics, merely as ſuch; or rather, by nouriſhing in every individual the higheſt raptures and ecſtaſies of devotion, it conſecrated, in a manner, every individual, and, in his own eyes, beſtowed a character on him much ſuperior to what forms and ceremonious inſtitutions could alone confer. The clergy of Scotland, though ſuch tumult was excited about religious worſhip and diſcipline, were both poor and in ſmall numbers; nor are they in general to be conſidered, at leaſt in the beginning, as the ringleaders of the ſedition which was raiſed on their account. On the contrary, the laity, apprehending, from ſeveral inſtances which occurred, a ſpirit of moderation in that order, reſolved to domineer entirely in the aſſembly which was ſummoned, and to hurry on the eccleſiaſtics by the ſame furious zeal with which they were themſelves tranſported.[m]

It had been uſual, before the eſtabliſhment of prelacy, for each preſbytery to ſend to the aſſembly, beſides two or three miniſters, one lay commiſſioner;[n] and, as all the boroughs and univerſities ſent likewiſe commiſſioners, the lay members in that

eccleſiaſtical court nearly equalled the eccleſiaſtics. Not only this inſtitution, which James, apprehenſive of zeal in the laity, had aboliſhed, was now revived by the covenanters; they alſo introduced an innovation which ſerved ſtill farther to reduce the clergy to ſubjection. By an edict of the tables, whoſe authority was ſupreme, an elder from each pariſh was ordered to attend the preſbytery, and to give his vote in the choice both of the commiſſioners and miniſters who ſhould be deputed to the aſſembly. As it is not uſual for the miniſters who are put in the liſt of candidates to claim a vote, all the elections by that means fell into the hands of the laity: the moſt furious of all ranks were choſen: and, the more to overawe the clergy, a new device was fallen upon, of chooſing to every commiſſioner four or five lay aſſeſſors, who, though they could have no vote, might yet interpoſe with their advice and authority in the aſſembly.[o]

EPISCOPACY ABOLISHED.

THE aſſembly met at Glaſgow: and, beſides a great concourſe of the people, all the nobility and gentry of any family or intereſt were preſent, either as members, aſſeſſors, or ſpectators; and it was apparent that the reſolutions taken by the covenanters could here meet with no manner of oppoſition. A firm determination had been entered into, of utterly aboliſhing epiſcopacy; and, as a preparative to it, there was laid before the preſbytery of Edinburgh, and ſolemnly read in all the churches of the kingdom, an accuſation againſt the biſhops, as guilty, all of them, of hereſy, ſimony, bribery, perjury, cheating, inceſt, adultery, fornication, common ſwearing, drunkenneſs, gaming, breach of the ſabbath, and every other crime that had occurred to the accuſers.[p] The biſhops ſent a proteſt, declining the authority of the aſſembly; the commiſſioner too proteſted againſt that court,

as illegally conſtituted and elected; and, in his majeſty's name, diſſolved it. This meaſure was foreſeen, and little regarded: the court ſtill continued to ſit, and to finiſh their buſineſs.[q] All the acts of aſſembly ſince the acceſſion of James to the crown of England were, upon pretty reaſonable grounds, declared null and invalid. The acts of parliament which affected eccleſiaſtical affairs were ſuppoſed, on that very account, to have no manner of authority. And thus epiſcopacy, the high commiſſion, the articles of Perth, the canons, and the liturgy, were aboliſhed and declared unlawful; and the whole fabric, which James and Charles in a long courſe of years had been rearing with ſo much care and policy, fell at once to the ground. The covenant likewiſe was ordered to be ſigned by every one, under pain of excommunication.[r]

The independency of the eccleſiaſtical upon the civil power was the old preſbyterian principle, which had been zealouſly adopted at the reformation, and which, though James and Charles had obliged the church publicly to diſclaim it, had ſecretly been adhered to by all ranks of people. It was commonly aſked whether Chriſt or the king were ſuperior? and, as the anſwer ſeemed obvious, it was inferred that the aſſembly, being Chriſt's council, was ſuperior in all ſpiritual matters to the parliament, which was only the king's: but, as the covenanters were ſenſible that this conſequence, though it ſeemed to them irrefragable, would not be aſſented to by the king, it became neceſſary to maintain their religious tenets by military force, and not to truſt entirely to ſupernatural aſſiſtance, of which, however, they held themſelves well aſſured. They caſt their eyes on all ſides, abroad and at home, whence ever they could expect any aid or ſupport.

After France and Holland had entered into a league againſt Spain, and framed a treaty of partition, by which they were to

conquer and to divide between them the Low Country provinces, England was invited to preſerve a neutrality between the contending parties, while the French and Dutch ſhould attack the maritime towns of Flanders. But the king replied to d'Eſtrades, the French ambaſſador, who opened the propoſal, that he had a ſquadron ready, and would croſs the ſeas, if neceſſary, with an army of fifteen thouſand men, in order to prevent theſe projected conqueſts.[s] This anſwer, which proves that Charles, though he expreſſed his mind with an imprudent candour, had at laſt acquired a juſt idea of national intereſt, irritated cardinal Richelieu; and, in revenge, that politic and enterpriſing miniſter carefully fomented the firſt commotions in Scotland, and ſecretly ſupplied the covenanters with money and arms, in order to encourage them in their oppoſition againſt their ſovereign.

WAR. 1639.

But the chief reſource of the Scottiſh malcontents was in themſelves, and in their own vigour and abilities. No regular eſtabliſhed commonwealth could take juſter meaſures, or execute them with greater promptitude, than did this tumultuous combination, inflamed with bigotry for religious trifles, and faction without a reaſonable object. The whole kingdom was in a manner engaged; and the men of greateſt abilities ſoon acquired the aſcendant, which their family intereſt enabled them to maintain. The earl of Argyle, though he long ſeemed to temporiſe, had at laſt embraced the covenant, and he became the chief leader of that party; a man equally ſupple and inflexible, cautious and determined, and entirely qualified to make a figure during a factious and turbulent period. The earls of Rothes, Caſſilis, Montroſe, Lothian; the lords Lindeſey, Loudon, Yeſter, Balmerino; diſtinguiſhed themſelves in that party. Many Scotch offi-

cers had acquired reputation in the German wars, particularly under Guſtavus; and theſe were invited over to aſſiſt their country in her preſent neceſſity. The command was intruſted to Leſley, a ſoldier of experience and abilities. Forces were regularly inliſted and diſciplined. Arms were commiſſioned and imported from foreign countries. A few caſtles which belonged to the king, being unprovided with victuals, ammunition, and garriſons, were ſoon ſeized. And the whole country, except a ſmall part, where the marquis of Huntly ſtill adhered to the king, being in the hands of the covenanters, was in a very little time put in a tolerable poſture of defence.[t]

The fortifications of Leith were begun and carried on with great rapidity. Beſides the inferior ſort, and thoſe who laboured for pay, incredible numbers of volunteers, even noblemen and gentlemen, put their hand to the work, and deemed the moſt abject employment to be dignified by the ſanctity of the cauſe. Women too, of rank and condition, forgetting the delicacy of their ſex, and the decorum of their character, were intermingled with the loweſt rabble; and carried on their ſhoulders the rubbiſh requiſite for completing the fortifications.[u]

We muſt not omit another auxiliary of the covenanters, and no inconſiderable one; a propheteſs, who was much followed and admired by all ranks of people. Her name was Michelſon; a woman full of whimſies, partly hyſterical, partly religious, and inflamed with a zealous concern for the eccleſiaſtical diſcipline of the preſbyterians. She ſpoke at certain times only, and had often interruptions of days and weeks: but, when ſhe began to renew her ecſtaſies, warning of the happy event was conveyed over the whole country, thouſands crowded about her houſe, and every word which ſhe uttered was received with veneration, as the moſt ſacred oracles. The covenant was her perpetual theme. The true, genuine covenant, ſhe ſaid, was ratified in

heaven; the king's covenant was an invention of Satan. When ſhe ſpoke of Chriſt, ſhe uſually gave him the name of the covenanting Jeſus. Rollo, a popular preacher, and zealous covenanter, was her great favourite; and paid her, on his part, no leſs veneration. Being deſired by the ſpectators to pray with her, and ſpeak to her, he anſwered, that he durſt not, and that it would be ill manners in him to ſpeak while his maſter, Chriſt, was ſpeaking in her.*

Charles had agreed to reduce epiſcopal authority ſo much, that it would no longer have been of any ſervice to ſupport the crown; and this ſacrifice of his own intereſts he was willing to make in order to attain public peace and tranquillity: but he could not conſent entirely to aboliſh an order, which he thought as eſſential to the being of a Chriſtian church as his Scottiſh ſubjects deemed it incompatible with that ſacred inſtitution. This narrowneſs of mind, if we would be impartial, we muſt either blame or excuſe equally on both ſides; and thereby anticipate, by a little reflection, that judgment which time, by introducing new ſubjects of controverſy, will undoubtedly render quite familiar to poſterity.

So great was Charles's averſion to violent and ſanguinary meaſures, and ſo ſtrong his affection to his native kingdom, that it is probable the conteſt in his breaſt would be nearly equal between theſe laudable paſſions and his attachment to the hierarchy. The latter affection, however, prevailed for the time, and made him haſten thoſe military preparations which he had projected for ſubduing the refractory ſpirit of the Scottiſh nation. By regular economy he had not only paid all the debts contracted during the Spaniſh and French wars, but had amaſſed a ſum of two hundred thouſand pounds, which he reſerved for any ſudden exigency. The queen had great intereſt with the catholics, both from the ſympathy of religion, and from the

favours and indulgences which ſhe had been able to procure to them. She now employed her credit, and perſuaded them that it was reaſonable to give large contributions, as a mark of their duty to the king, during this urgent neceſſity.[y] A conſiderable ſupply was obtained by this means; to the great ſcandal of the puritans, who were offended at ſeeing the king on ſuch good terms with the papiſts, and repined that others ſhould give what they themſelves were diſpoſed to refuſe him.

Charles's fleet was formidable and well ſupplied. Having put five thouſand land forces on board, he intruſted it to the marquis of Hamilton, who had orders to ſail to the Frith of Forth, and to cauſe a diverſion in the forces of the malcontents. An army was levied of near twenty thouſand foot, and above three thouſand horſe, and was put under the command of the earl of Arundel, a nobleman of great family, but celebrated neither for military nor political abilities. The earl of Eſſex, a man of ſtrict honour, and extremely popular, eſpecially among the ſoldiery, was appointed lieutenant-general: the earl of Holland was general of the horſe. The king himſelf joined the army, and had ſummoned all the peers of England to attend him. The whole had the appearance of a ſplendid court rather than of a military armament; and in this ſituation, carrying more ſhew than real force with it, the camp arrived at Berwick.[z]

The Scottiſh army was as numerous as that of the king, but inferior in cavalry. The officers had more reputation and experience; and the ſoldiers, though undiſciplined and ill armed, were animated as well by the national averſion to England, and the dread of becoming a province to their old enemy, as by an unſurmountable fervour of religion. The pulpits had extremely aſſiſted the officers in levying recruits, and had thundered out anathemas againſt all thoſe who went not out to aſſiſt the Lord againſt the mighty.[a] Yet ſo prudent were the leaders of the

malcontents, that they immediately ſent ſubmiſſive meſſages to the king, and craved to be admitted to a treaty.

Charles knew that the force of the covenanters was conſiderable, their ſpirits high, their zeal furious; and that, as they were not yet daunted by any ill ſucceſs, no reaſonable terms could be expected from them. With regard therefore to a treaty, great difficulties occurred on both ſides. Should he ſubmit to the pretenſions of the malcontents, beſides that the prelacy muſt be ſacrificed to their religious prejudices, ſuch a check would be given to royal authority, which had very lately, and with much difficulty, been thoroughly eſtabliſhed in Scotland, that he muſt expect ever after to retain in that kingdom no more than the appearance of majeſty. The great men, having proved, by ſo ſenſible a trial, the impotence of law and prerogative, would return to their former licentiouſneſs; the preachers would retain their innate arrogance; and the people, unprotected by juſtice, would recognize no other authority than that which they found to domineer over them. England alſo, it was much to be feared, would imitate ſo bad an example; and, having already a ſtrong propenſity towards republican and puritanical factions, would expect, by the ſame ſeditious practices, to attain the ſame indulgence. To advance ſo far, without bringing the rebels to a total ſubmiſſion, at leaſt to reaſonable conceſſions, was to promiſe them, in all future time, an impunity for rebellion.

On the other hand, Charles conſidered that Scotland was never before, under any of his anceſtors, ſo united, and ſo animated in its own defence; yet had often been able to foil or elude the force of England, combined heartily in one cauſe, and inured by long practice to the uſe of arms. How much greater difficulty ſhould he find at preſent to ſubdue by violence a people inflamed with religious prejudices; while he could only oppoſe to them a nation enervated by long peace, and lukewarm in

his ſervice; or, what was more to be dreaded, many of them engaged in the ſame party with the rebels![b] Should the war be only protracted beyond a campaign, (and who could expect to finiſh it in that period?) his treaſures would fail him; and for ſupply he muſt have recourſe to an Engliſh parliament, which by fatal experience he had ever found more ready to encroach on the prerogatives than to ſupply the neceſſities of the crown. And what if he receive a defeat from the rebel army? This misfortune was far from being impoſſible. They were engaged in a national cauſe, and ſtrongly actuated by miſtaken principles. His army was retained entirely by pay, and looked on the quarrel with the ſame indifference which naturally belongs to mercenary troops, without poſſeſſing the diſcipline by which ſuch troops are commonly diſtinguiſhed. And the conſequences of a defeat, while Scotland was enraged and England diſcontented, were ſo dreadful, that no motive ſhould perſuade him to hazard it.

PACIFICATION.

It is evident that Charles had fallen into ſuch a ſituation that, which ever ſide he embraced, his errors muſt be dangerous; no wonder therefore he was in great perplexity. But he did worſe than embrace the worſt ſide; for, properly ſpeaking, he embraced no ſide at all. He concluded a ſudden pacification, in which it was ſtipulated that he ſhould withdraw his fleet and army; that within eight and forty hours the Scots ſhould diſmiſs their forces; that the king's forts ſhould be reſtored to him; his authority be acknowledged; and a general aſſembly and a parliament be immediately ſummoned, in order to compoſe all differences.[c] What were the reaſons which engaged the king to admit ſuch ſtrange articles of peace it is in vain to inquire, for

there ſcarcely could be any. The cauſes of that event may admit of a more eaſy explication.

The malcontents had been very induſtrious in repreſenting to the Engliſh the grievances under which Scotland laboured, and the ill counſels which had been ſuggeſted to their ſovereign. Their liberties, they ſaid, were invaded; the prerogatives of the crown extended beyond all former precedent; illegal courts erected; the hierarchy exalted at the expenſe of national privileges; and ſo many new ſuperſtitions introduced by the haughty tyrannical prelates, as begat a juſt ſuſpicion that a project was ſeriouſly formed for the reſtoration of popery. The king's conduct ſurely, in Scotland, had been in every thing, except in eſtabliſhing the eccleſiaſtical canons, more legal than in England; yet was there ſuch a general reſemblance in the complaints of both kingdoms, that the Engliſh readily aſſented to all the repreſentations of the Scottiſh malcontents, and believed that nation to have been driven by oppreſſion into the violent counſels which they had embraced. So far, therefore, from being willing to ſecond the king in ſubduing the free ſpirits of the Scots, they rather pitied that unhappy people, who had been puſhed to thoſe extremities; and they thought that the example of ſuch neighbours, as well as their aſſiſtance, might ſome time be advantageous to England, and encourage her to recover, by a vigorous effort, her violated laws and liberties. The gentry and nobility, who, without attachment to the court, without command in the army, attended in great numbers the Engliſh camp, greedily ſeized, and propagated, and gave authority to, theſe ſentiments. A retreat, very little honourable, which the earl of Holland, with a conſiderable detachment of the Engliſh forces, had made before a detachment of the Scottiſh, cauſed all theſe humours to blaze up at once: and the king, whoſe character was not ſufficiently vigorous or deciſive, and who was apt, from

facility, to embrace haſty counſels, ſuddenly aſſented to a meaſure which was recommended by all about him, and which favoured his natural propenſion towards the miſguided ſubjects of his native kingdom.[d]

WAR RENEWED.

CHARLES, having ſo far advanced in pacific meaſures, ought with a ſteady reſolution to have proſecuted them, and have ſubmitted to every tolerable condition demanded by the aſſembly and parliament; nor ſhould he have recommenced hoſtilities, but on account of ſuch enormous and unexpected pretenſions as would have juſtified his cauſe, if poſſible, to the whole Engliſh nation. So far, indeed, he adopted this plan, that he agreed not only to confirm his former conceſſions, of abrogating the canons, the liturgy, the high commiſſion, and the articles of Perth; but alſo to aboliſh the order itſelf of biſhops, for which he had ſo zealouſly contended.[e] But this conceſſion was gained by the utmoſt violence which he could impoſe on his diſpoſition and prejudices; he even ſecretly retained an intention of ſeizing favourable opportunities, in order to recover the ground which he had loſt;[f] and one ſtep farther he could not prevail with himſelf to advance. The aſſembly, when it met, paid no deference to the king's prepoſſeſſions, but gave full indulgence to their own. They voted epiſcopacy to be unlawful in the church of Scotland: he was willing to allow it contrary to the conſtitutions of that church. They ſtigmatiſed the liturgy and canons as popiſh: he agreed ſimply to aboliſh them. They denominated the high commiſſion tyranny: he was content to ſet it aſide.[g] The parliament which ſat after the aſſembly advanced pretenſions which tended to diminiſh the civil power of the monarch; and, what probably affected Charles ſtill more, they

were proceeding to ratify the acts of aſſembly, when, by the king's inſtructions,[h] Traquaire, the commiſſioner, prorogued them. And on account of theſe claims, which might have been foreſeen, was the war renewed, with great advantages on the ſide of the covenanters and diſadvantages on that of the king.

No ſooner had Charles concluded the pacification without conditions, than the neceſſity of his affairs and his want of money obliged him to diſband his army; and, as the ſoldiers had been held together ſolely by mercenary views, it was not poſſible, without great trouble, and expenſe, and loſs of time, again to aſſemble them. The more prudent covenanters had concluded that, their pretenſions being ſo contrary to the intereſts, and ſtill more to the inclinations, of the king, it was likely that they ſhould again be obliged to ſupport their cauſe by arms; and they were therefore careful, in diſmiſſing their troops, to preſerve nothing but the appearance of a pacific diſpoſition. The officers had orders to be ready on the firſt ſummons; the ſoldiers were warned not to think the nation ſecure from an Engliſh invaſion; and the religious zeal, which animated all ranks of men, made them immediately fly to their ſtandards as ſoon as the trumpet was ſounded by their ſpiritual and temporal leaders. The credit which in their laſt expedition they had acquired, by obliging their ſovereign to depart from all his pretenſions, gave courage to every one in undertaking this new enterpriſe.[i]

FOURTH ENGLISH PARLIAMENT. 1640.

The king, with great difficulty, found means to draw together an army; but ſoon diſcovered that, all ſavings being gone and great debts contracted, his revenue would be inſufficient to ſupport them. An Engliſh parliament, therefore, formerly ſo unkind and intractable, muſt now, after above eleven years inter-

miſſion, after the king had tried many irregular methods of taxation, after multiplied diſguſts given to the puritanical party, be ſummoned to aſſemble, amidſt the moſt preſſing neceſſities of the crown.

As the king reſolved to try whether this houſe of commons would be more compliant than their predeceſſors, and grant him ſupply on any reaſonable terms, the time appointed for the meeting of parliament was late, and very near the time allotted for opening the campaign againſt the Scots. After the paſt experience of their ill humour, and of their encroaching diſpoſition, he thought that he could not in prudence truſt them with a long ſeſſion till he had ſeen ſome better proofs of their good intentions; the urgency of the occaſion, and the little time allowed for debate, were reaſons which he reſerved againſt the malcontents in the houſe; and an incident had happened which he believed had now furniſhed him with ſtill more cogent arguments.

The earl of Traquaire had intercepted a letter written to the king of France by the Scottiſh malcontents, and had conveyed this letter to the king. Charles, partly repenting of the large conceſſions made to the Scots, partly diſguſted at their freſh inſolence and pretenſions, ſeized this opportunity of breaking with them. He had thrown into the tower lord Loudon, commiſſioner from the covenanters; one of the perſons who had ſigned the treaſonable letter.[k] And he now laid the matter before the parliament, whom he hoped to inflame by the reſentment, and alarm by the danger, of this application to a foreign power. By the mouth of the lord keeper, Finch, he diſcovered his wants, and informed them that he had been able to aſſemble his army, and to ſubſiſt them, not by any revenue which he poſſeſſed, but by means of a large debt of above three hundred thouſand pounds which he had contracted, and for which he had given

ſecurity upon the crown lands. He repreſented that it was neceſſary to grant ſupplies for the immediate and urgent demands of his military armaments: that the ſeaſon was far advanced, the time precious, and none of it muſt be loſt in deliberation: that, though his coffers were empty, they had not been exhauſted by unneceſſary pomp, or ſumptuous buildings, or any other kind of magnificence: that whatever ſupplies had been levied on his ſubjects had been employed for their advantage and preſervation, and, like vapours riſing out of the earth and gathered into a cloud, had fallen in ſweet and refreſhing ſhowers on the ſame fields from which they had at firſt been exhaled: that, though he deſired ſuch immediate aſſiſtance as might prevent for the time a total diſorder in the government, he was far from any intention of precluding them from their right to inquire into the ſtate of the kingdom, and to offer him petitions for the redreſs of their grievances; that as much as was poſſible of this ſeaſon ſhould afterwards be allowed them for that purpoſe: that, as he expected only ſuch ſupply at preſent as the current ſervice neceſſarily required, it would be requiſite to aſſemble them again next winter, when they ſhould have full leiſure to conclude whatever buſineſs had this ſeſſion been left imperfect and unfiniſhed: that the parliament of Ireland had twice put ſuch truſt in his good intentions as to grant him, in the beginning of the ſeſſion, a large ſupply, and had ever experienced good effects from the confidence repoſed in him: and that, in every circumſtance, his people ſhould find his conduct ſuitable to a juſt, pious, and gracious king, and ſuch as was calculated to promote an entire harmony between prince and parliament.[1]

However plauſible theſe topics, they made ſmall impreſſion on the houſe of commons. By ſome illegal, and ſeveral ſuſpicious, meaſures of the crown, and by the courageous oppoſition which

particular perſons, amidſt dangers and hardſhips, had made to them, the minds of men, throughout the nation, had taken ſuch a turn as to aſcribe every honour to the refractory oppoſers of the king and the miniſters. Theſe were the only patriots, the only lovers of their country, the only heroes, and perhaps too the only true Chriſtians. A reaſonable compliance with the court was ſlaviſh dependance; a regard to the king, ſervile flattery; a confidence in his promiſes, ſhameful proſtitution. This general caſt of thought, which has, more or leſs, prevailed in England during near a century and a half, and which has been the cauſe of much good and much ill in public affairs, never predominated more than during the reign of Charles. The preſent houſe of commons, being entirely compoſed of country gentlemen, who came into parliament with all their native prejudices about them, and whom the crown had no means of influencing, could not fail to contain a majority of theſe ſtubborn patriots.

Affairs likewiſe, by means of the Scottiſh inſurrection, and the general diſcontents in England, were drawing ſo near to a criſis, that the leaders of the houſe, ſagacious and penetrating, began to foreſee the conſequences, and to hope that the time, ſo long wiſhed for, was now come, when royal authority muſt fall into a total ſubordination under popular aſſemblies, and when public liberty muſt acquire a full aſcendant. By reducing the crown to neceſſities, they had hitherto found that the king had been puſhed into violent counſels, which had ſerved extremely the purpoſes of his adverſaries; and by multiplying theſe neceſſities, it was foreſeen that his prerogative, undermined on all ſides, muſt at laſt be overthrown, and be no longer dangerous to the privileges of the people. Whatever, therefore, tended to compoſe the differences between king and parliament, and to preſerve the government uniformly in its preſent channel, was

zealouſly oppoſed by theſe popular leaders; and their paſt conduct and ſufferings gave them credit ſufficient to effect all their purpoſes.

The houſe of commons, moved by theſe and many other obvious reaſons, inſtead of taking notice of the king's complaints againſt his Scottiſh ſubjects, or his applications for ſupply, entered immediately upon grievances; and a ſpeech, which Pym made them on that ſubject, was much more hearkened to than that which the lord keeper had delivered to them in the name of their ſovereign. The ſubject of Pym's harangue has been ſufficiently explained above; where we gave an account of all the grievances, imaginary in the church, more real in the ſtate, of which the nation at that time ſo loudly complained.[m] The houſe began with examining the behaviour of the ſpeaker the laſt day of the former parliament, when he refuſed, on account of the king's command, to put the queſtion; and they declared it a breach of privilege. They proceeded next to inquire into the impriſonment and proſecution of ſir John Elliot, Hollis, and Valentine;[n] the affair of ſhip money was canvaſſed; and plentiful ſubject of inquiry was ſuggeſted on all hands. Grievances were regularly claſſed under three heads; thoſe with regard to privileges of parliament, to the property of the ſubject, and to religion.[o] The king, ſeeing a large and inexhauſtible field opened, preſſed them again for ſupply; and, finding his meſſage ineffectual, he came to the houſe of peers, and deſired their good offices with the commons. The peers were ſenſible of the king's urgent neceſſities; and thought that ſupply on this occaſion ought, both in reaſon and in decency, to go before grievances. They ventured to repreſent their ſenſe of the matter to the commons; but their interceſſion did harm. The commons had always claimed, as their peculiar province, the granting of ſupplies; and, though the peers had here gone no farther than of-

fering advice, the lower houſe immediately thought proper to vote ſo unprecedented an interpoſition to be a breach of privilege.[p] Charles, in order to bring the matter of ſupply to ſome iſſue, ſolicited the houſe by new meſſages: and, finding that ſhip money gave great alarm and diſguſt; beſides informing them that he never intended to make a conſtant revenue of it, that all the money levied had been regularly, with other great ſums, expended on equipping the navy; he now went ſo far as to offer them a total abolition of that obnoxious claim, by any law which the commons ſhould think proper to preſent to him. In return, he only aſked, for his neceſſities, a ſupply of twelve ſubſidies, about ſix hundred thouſand pounds, and that payable in three years; but, at the ſame time, he let them know that, conſidering the ſituation of his affairs, a delay would be equivalent to a denial.[q] The king, though the majority was againſt him, never had more friends in any houſe of commons; and the debate was carried on for two days, with great zeal and warmth on both ſides.

It was urged, by the partiſans of the court, that the happieſt occaſion, which the fondeſt wiſhes could ſuggeſt, was now preſented for removing all diſguſts and jealouſies between king and people, and for reconciling their ſovereign for ever to the uſe of parliaments. That, if they, on their part, laid aſide all enormous claims and pretenſions, and provided, in a reaſonable manner, for the public neceſſities, they needed entertain no ſuſpicion of any inſatiable ambition or illegal uſurpation in the crown. That, though due regard had not always been paid, during this reign, to the rights of the people, yet no invaſion of them had been altogether deliberate and voluntary, much leſs the reſult of wanton tyranny and injuſtice, and ſtill leſs of a formed deſign to ſubvert the conſtitution. That to repoſe a reaſonable confidence in the king, and generouſly to ſupply his preſent

wants, which proceeded neither from prodigality nor miſconduct, would be the true means of gaining on his generous nature, and extorting, by gentle violence, ſuch conceſſions as were requiſite for the eſtabliſhment of public liberty. That he had promiſed, not only on the word of a prince, but alſo on that of a gentleman (the expreſſion which he had been pleaſed to uſe), that, after the ſupply was granted, the parliament ſhould ſtill have liberty to continue their deliberations. Could it be ſuſpected that any man, any prince, much leſs ſuch a one, whoſe word was as yet ſacred and inviolate, would, for ſo ſmall a motive, forfeit his honour, and with it all future truſt and confidence, by breaking a promiſe ſo public and ſo ſolemn? That, even if the parliament ſhould be deceived in repoſing this confidence in him, they neither loſt any thing, nor incurred any danger; ſince it was evidently neceſſary, for the ſecurity of public peace, to ſupply him with money, in order to ſuppreſs the Scottiſh rebellion. That he had ſo far ſuited his firſt demands to their prejudices, that he only aſked a ſupply for a few months; and was willing, after ſo ſhort a truſt from them, to fall again into dependance, and to truſt them for his farther ſupport and ſubſiſtence. That, if he now ſeemed to deſire ſomething farther, he alſo made them in return a conſiderable offer, and was willing for the future to depend on them for a revenue, which was quite neceſſary for public honour and ſecurity. That the nature of the Engliſh conſtitution ſuppoſed a mutual confidence between king and parliament: and, if they ſhould refuſe it on their part, eſpecially with circumſtances of ſuch outrage and indignity, what could be expected but a total diſſolution of government, and violent factions, followed by the moſt dangerous convulſions and inteſtine diſorders?

In oppoſition to theſe arguments it was urged, by the malcontent party, that the court had diſcovered, on their part, but

few ſymptoms of that mutual confidence to which they now ſo kindly invited the commons. That eleven years intermiſſion of parliaments, the longeſt that was to be found in the Engliſh annals, was a ſufficient indication of the jealouſy entertained againſt the people; or rather of deſigns formed for the ſuppreſſion of all their liberties and privileges. That the miniſters might well plead neceſſity, nor could any thing, indeed, be a ſtronger proof of ſome invincible neceſſity, than their embracing a meaſure for which they had conceived ſo violent an averſion as the aſſembling of an Engliſh parliament. That this neceſſity, however, was purely miniſterial, not national; and, if the ſame grievances, eccleſiaſtical and civil, under which this nation itſelf laboured, had puſhed the Scots to extremities, was it requiſite that the Engliſh ſhould forge their own chains, by impoſing chains on their unhappy neighbours? That the ancient practice of parliament was to give grievances the precedency of ſupply; and this order, ſo carefully obſerved by their anceſtors, was founded on a jealouſy inherent in the conſtitution, and was never interpreted as any peculiar diffidence of the preſent ſovereign. That a practice, which had been upheld during times the moſt favourable to liberty, could not, in common prudence, be departed from where ſuch undeniable reaſons for ſuſpicion had been afforded. That it was ridiculous to plead the advanced ſeaſon, and the urgent occaſion for ſupply; when it plainly appeared that, in order to afford a pretence for this topic, and to ſeduce the commons, great political contrivance had been employed. That the writs for elections were iſſued early in the winter; and, if the meeting of parliament had not purpoſely been delayed till ſo near the commencement of military operations, there had been leiſure ſufficient to have redreſſed all national grievances, and to have proceeded afterwards to an examination of the king's occaſion for ſupply. That the intention of ſo groſs

an artifice was to engage the commons, under pretence of neceſſity, to violate the regular order of parliament; and a precedent of that kind being once eſtabliſhed, no inquiry into public meaſures would afterwards be permitted. That ſcarcely any argument more unfavourable could be pleaded for ſupply, than an offer to aboliſh ſhip money; a taxation the moſt illegal, and the moſt dangerous, that had ever, in any reign, been impoſed upon the nation: and that, by bargaining for the remiſſion of that duty, the commons would, in a manner, ratify the authority by which it had been levied; at leaſt give encouragement for advancing new pretenſions of a like nature, in hopes of reſigning them on like advantageous conditions.

Theſe reaſons, joined to ſo many occaſions of ill humour, ſeemed to ſway with the greater number: but, to make the matter worſe, ſir Harry Vane, the ſecretary, told the commons, without any authority from the king, that nothing leſs than twelve ſubſidies would be accepted as a compenſation for the abolition of ſhip money. This aſſertion, proceeding from the indiſcretion, if we are not rather to call it the treachery, of Vane, diſpleaſed the houſe, by ſhewing a ſtiffneſs and rigidity in the king,[r] which in a claim ſo ill grounded was deemed inexcuſable. We are informed, likewiſe, that ſome men, who were thought to underſtand the ſtate of the nation, affirmed in the houſe that the amount of twelve ſubſidies was a greater ſum than could be found in all England. Such were the happy ignorance and inexperience of thoſe times with regard to taxes![s]

DISSOLUTION OF PARLIAMENT.

The king was in great doubt and perplexity. He ſaw that his friends in the houſe were outnumbered by his enemies, and that the ſame counſels were ſtill prevalent which had ever bred

ſuch oppoſition and diſturbance. Inſtead of hoping that any ſupply would be granted him to carry on war againſt the Scots, whom the majority of the houſe regarded as their beſt friends and firmeſt allies, he expected every day that they would preſent him an addreſs for making peace with thoſe rebels. And, if the houſe met again, a vote, he was informed, would certainly paſs to blaſt his revenue of ſhip money; and thereby renew all the oppoſition which, with ſo much difficulty, he had ſurmounted in levying that taxation. Where great evils lie on all ſides, it is difficult to follow the beſt counſel; nor is it any wonder that the king, whoſe capacity was not equal to ſituations of ſuch extreme delicacy, ſhould haſtily have formed and executed the reſolution of diſſolving this parliament; a meaſure, however, of which he ſoon after repented, and which the ſubſequent events, more than any convincing reaſon, inclined every one to condemn. The laſt parliament, which ended with ſuch rigour and violence, had yet at firſt covered their intentions with greater appearance of moderation than this parliament had hitherto aſſumed.

An abrupt and violent diſſolution naturally excites diſcontents among the people, who uſually put entire confidence in their repreſentatives, and expect from them the redreſs of all grievances. As if there were not already ſufficient grounds of complaint, the king perſevered ſtill in thoſe counſels, which from experience he might have been ſenſible were ſo dangerous and unpopular. Bellaſis and ſir John Hotham were ſummoned before the council; and, refuſing to give any account of their conduct in parliament, were committed to priſon. All the petitions and complaints, which had been ſent to the committee of religion, were demanded from Crew, chairman of that committee; and on his refuſal to deliver them he was ſent to the tower. The ſtudies, and even the pockets, of the earl of Warwick and

lord Broke, before the expiration of privilege, were ſearched, in expectation of finding treaſonable papers. Theſe acts of authority were interpreted, with ſome appearance of reaſon, to be invaſions on the right of national aſſemblies.[t] But the king, after the firſt provocation which he met with, never ſufficiently reſpected the privileges of parliament; and by his example he farther confirmed their reſolution, when they ſhould acquire power, to pay like diſregard to the prerogatives of the crown.

Though the parliament was diſſolved the convocation was ſtill allowed to ſit; a practice of which, ſince the reformation, there were but few inſtances,[u] and which was for that reaſon ſuppoſed by many to be irregular. Beſides granting to the king a ſupply from the ſpirituality, and framing many canons, the convocation, jealous of like innovations with thoſe which had taken place in Scotland, impoſed an oath on the clergy, and the graduates in the univerſities, by which every one ſwore to maintain the eſtabliſhed government of the church by archbiſhops, biſhops, deans, chapters, &c.[x] Theſe ſteps, in the preſent diſcontented humour of the nation, were commonly deemed illegal, becauſe not ratified by conſent of parliament, in whom all authority was now ſuppoſed to be centered: and nothing, beſides, could afford more ſubject of ridicule than an oath which contained an et cætera in the midſt of it.

DISCONTENTS IN ENGLAND.

THE people, who generally abhorred the convocation as much as they revered the parliament, could ſcarcely be reſtrained from inſulting and abuſing this aſſembly; and the king was obliged to give them guards, in order to protect them.[y] An attack too was made during the night upon Laud, in his palace of Lambeth, by above five hundred perſons; and he found it neceſſary to fortify

himſelf for his defence.[z] A multitude, conſiſting of two thouſand ſectaries, entered St. Paul's, where the high commiſſion then ſat; tore down the benches, and cried out, 'No biſhop,[a] no high commiſſion.' All theſe inſtances of diſcontent were preſages of ſome great revolution, had the court poſſeſſed ſufficient ſkill to diſcern the danger, or ſufficient power to provide againſt it.

In this diſpoſition of men's minds it was in vain that the king iſſued a declaration, in order to convince his people of the neceſſity which he lay under of diſſolving the laſt parliament.[b] The chief topic on which he inſiſted was, that the commons imitated the bad example of all their predeceſſors of late years, in making continual encroachments on his authority, in cenſuring his whole adminiſtration and conduct, in diſcuſſing every circumſtance of public government, and in their indirect bargaining and contracting with their king for ſupply; as if nothing ought to be given him but what he ſhould purchaſe, either by quitting ſomewhat of his royal prerogative, or by diminiſhing and leſſening his ſtanding revenue. Theſe practices, he ſaid, were contrary to the maxims of their anceſtors, and theſe practices were totally incompatible with monarchy.[c]

The king, diſappointed of parliamentary ſubſidies, was obliged to have recourſe to other expedients, in order to ſupply his urgent neceſſities. The eccleſiaſtical ſubſidies ſerved him in ſome ſtead; and it ſeemed but juſt that the clergy ſhould contribute to a war which was in a great meaſure [d] of their own raiſing. He borrowed money from his miniſters and courtiers; and ſo much was he beloved among them, that above three hundred thouſand pounds were ſubſcribed in a few days; though nothing ſurely could be more diſagreeable to a prince full of dignity than to be a burden on his friends inſtead of being a ſupport to them. Some attempts were made towards forcing a loan from the

citizens; but ſtill repelled by the ſpirit of liberty, which was now become unconquerable.[e] A loan of forty thouſand pounds was extorted from the Spaniſh merchants, who had bullion in the tower, expoſed to the attempts of the king. Coat and conduct money for the ſoldiery was levied on the counties; an ancient practice,[f] but ſuppoſed to be aboliſhed by the petition of right. All the pepper was bought from the Eaſt India company upon truſt, and ſold, at a great diſcount, for ready money.[g] A ſcheme was propoſed for coining two or three hundred thouſand pounds of baſe money.[h] Such were the extremities to which Charles was reduced. The freſh difficulties which, amidſt the preſent diſtreſſes, were every day raiſed, with regard to the payment of ſhip money, obliged him to exert continual acts of authority, augmented the diſcontents of the people, and increaſed his indigence and neceſſities.[i]

The preſent expedients, however, enabled the king, though with great difficulty, to march his army, conſiſting of nineteen thouſand foot and two thouſand horſe.[k] The earl of Northumberland was appointed general; the earl of Strafford, who was called over from Ireland, lieutenant-general; lord Conway, general of the horſe. A ſmall fleet was thought ſufficient to ſerve the purpoſes of this expedition.

ROUT AT NEWBURN.

So great are the effects of zeal and unanimity, that the Scottiſh army, though ſomewhat ſuperior, were ſooner ready than the king's; and they marched to the borders of England. To engage them to proceed, beſides their general knowledge of the ſecret diſcontents of that kingdom, lord Saville had forged a letter, in the name of ſix noblemen the moſt conſiderable of England, by which the Scots were invited to aſſiſt their neighbours in pro-

curing a redreſs of grievances.[l] Notwithſtanding theſe warlike preparations and hoſtile attempts, the covenanters ſtill preſerved the moſt pathetic and moſt ſubmiſſive language; and entered England, they ſaid, with no other view than to obtain acceſs to the king's preſence, and lay their humble petition at his royal feet. At Newburn upon Tyne they were oppoſed by a detachment of four thouſand five hundred men under Conway, who ſeemed reſolute to diſpute with them the paſſage of the river. The Scots firſt entreated them, with great civility, not to ſtop them in their march to their gracious ſovereign; and then attacked them with great bravery, killed ſeveral, and chaſed the reſt from their ground. Such a panic ſeized the whole Engliſh army, that the forces at Newcaſtle fled immediately to Durham; and, not yet thinking themſelves ſafe, they deſerted that town, and retreated into Yorkſhire.[m]

The Scots took poſſeſſion of Newcaſtle; and, though ſufficiently elated with their victory, they preſerved exact diſcipline, and perſevered in their reſolution of paying for every thing, in order ſtill to maintain the appearance of an amicable correſpondence with England. They alſo diſpatched meſſengers to the king, who was arrived at York; and they took care, after the advantage which they had obtained, to redouble their expreſſions of loyalty, duty, and ſubmiſſion, to his perſon; and they even made apologies, full of ſorrow and contrition, for their late victory.[n]

Charles was in a very diſtreſſed condition. The nation was univerſally and highly diſcontented. The army was diſcouraged, and began likewiſe to be diſcontented, both from the contagion of general diſguſt, and as an excuſe for their miſbehaviour, which they were deſirous of repreſenting rather as want of will than of courage to fight. The treaſury too was quite exhauſted, and every expedient for ſupply had been tried to the uttermoſt. No

event had happened but what might have been foreſeen as neceſſary, at leaſt as very probable; yet ſuch was the king's ſituation, that no proviſion could be made, nor was even any reſolution taken, againſt ſuch an exigency.

TREATY AT RIPPON.

In order to prevent the advance of the Scots upon him, the king agreed to a treaty, and named ſixteen Engliſh noblemen, who met with eleven Scottiſh commiſſioners at Rippon. The earls of Hertford, Bedford, Saliſbury, Warwick, Eſſex, Holland, Briſtol, and Berkſhire, the lords Kimbolton, Wharton, Dunſmore, Paget, Broke, Saville, Paulet, and Howard of Eſcric, were choſen by the king; all of them popular men, and conſequently ſuppoſed nowiſe averſe to the Scottiſh invaſion, or unacceptable to that nation.[o]

An addreſs arrived from the city of London, petitioning for a parliament; the great point to which all men's projects at this time tended.[p] Twelve noblemen preſented a petition to the ſame purpoſe.[q] But the king contented himſelf with ſummoning a great council of the peers at York; a meaſure which had formerly been taken in caſes of ſudden emergency, but which at preſent could ſerve to little purpoſe. Perhaps the king, who dreaded above all things the houſe of commons, and who expected no ſupply from them on any reaſonable terms, thought that in his preſent diſtreſſes he might be enabled to levy ſupplies by the authority of the peers alone. But the employing ſo long the plea of a neceſſity, which appeared diſtant and doubtful, rendered it impoſſible for him to avail himſelf of a neceſſity which was now at laſt become real, urgent, and inevitable.

By Northumberland's ſickneſs the command of the army had devolved on Strafford. This nobleman poſſeſſed more vigour of

mind than the king or any of the council. He adviſed Charles rather to put all to hazard than ſubmit to ſuch unworthy terms as were likely to be impoſed upon him. The loſs ſuſtained at Newburn, he ſaid, was inconſiderable; and, though a panic had for the time ſeized the army, that event was nothing ſtrange among new levied troops; and the Scots, being in the ſame condition, would no doubt be liable, in their turn, to a like accident. His opinion therefore was, that the king ſhould puſh forward and attack the Scots, and bring the affair to a quick deciſion; and, if he were ever ſo unſucceſsful, nothing worſe could befall him than what, from his inactivity, he would certainly be expoſed to.[r] To ſhew how eaſy it would be to execute this project, he ordered an aſſault to be made on ſome quarters of the Scots, and he gained an advantage over them. No ceſſation of arms had as yet been agreed to during the treaty at Rippon; yet great clamour prevailed, on account of this act of hoſtility. And, when it was known that the officer who conducted the attack was a papiſt, a violent outcry was raiſed againſt the king for employing that hated ſect in the murder of his proteſtant ſubjects.[s]

It may be worthy of remark that ſeveral mutinies had ariſen among the Engliſh troops, when marching to join the army; and ſome officers had been murdered, merely on ſuſpicion of their being papiſts.[t] The petition of right had aboliſhed all martial law; and, by an inconvenience which naturally attended the plan, as yet new and unformed, of regular and rigid liberty, it was found abſolutely impoſſible for the generals to govern the army by all the authority which the king could legally confer upon them. The lawyers had declared that martial law could not be exerciſed, except in the very preſence of an enemy; and, becauſe it had been found neceſſary to execute a mutineer, the generals thought it adviſable, for their own ſafety,

to apply for a pardon from the crown. This weakneſs, however, was carefully concealed from the army; and lord Conway ſaid that, if any lawyer were ſo imprudent as to diſcover the ſecret to the ſoldiers, it would be neceſſary inſtantly to refute him, and to hang the lawyer himſelf by ſentence of a court-martial.[u]

An army new levied, undiſciplined, frightened, ſeditious, ill paid, and governed by no proper authority, was very unfit for withſtanding a victorious and high-ſpirited enemy, and retaining in ſubjection a diſcontented and zealous nation.

GREAT COUNCIL OF THE PEERS.

CHARLES, in deſpair of being able to ſtem the torrent, at laſt determined to yield to it; and, as he foreſaw that the great council of the peers would adviſe him to call a parliament, he told them, in his firſt ſpeech, that he had already taken this reſolution. He informed them, likewiſe, that the queen, in a letter which ſhe had written to him, had very earneſtly recommended that meaſure. This good prince, who was extremely attached to his conſort, and who paſſionately wiſhed to render her popular in the nation, forgot not, amidſt all his diſtreſs, the intereſts of his domeſtic tenderneſs.[x]

In order to ſubſiſt both armies (for the king was obliged, in order to ſave the northern counties, to pay his enemies) Charles wrote to the city, deſiring a loan of two hundred thouſand pounds; and the peers at York, whoſe authority was now much greater than that of their ſovereign,[y] joined in the ſame requeſt. So low was this prince already fallen in the eyes of his own ſubjects!

As many difficulties occurred in the negociation with the Scots, it was propoſed to transfer the treaty from Rippon to London;

a propoſal willingly embraced by that nation, who were now ſure of treating with advantage, in a place where the king, they foreſaw, would be in a manner a priſoner, in the midſt of his implacable enemies, and their determined friends.[z]

CHAPTER LIV.

CHARLES I.

MEETING OF THE LONG PARLIAMENT....STRAFFORD AND LAUD IMPEACHED....FINCH AND WINDEBANK FLY....GREAT AUTHORITY OF THE COMMONS....THE BISHOPS ATTACKED....TONNAGE AND POUNDAGE....TRIENNIAL BILL....STRAFFORD'S TRIAL....BILL OF ATTAINDER....EXECUTION OF STRAFFORD....HIGH COMMISSION AND STAR CHAMBER ABOLISHED....KING'S JOURNEY TO SCOTLAND.

THE cauſes of diſguſt, which for above thirty years had been daily multiplying in England, were now come to full maturity, and threatened the kingdom with ſome great revolution or convulſion. The uncertain and undefined limits of prerogative and privilege had been eagerly diſputed during that whole period; and, in every controverſy between prince and people, the queſtion, however doubtful, had always been decided by each party in favour of its own pretenſions. Too lightly, perhaps, moved by the appearance of neceſſity, the king had even aſſumed powers incompatible with the principles of limited government, and had rendered it impoſſible for his moſt zealous partiſans entirely to juſtify his conduct, except by topics ſo unpopular that they were more fitted, in the preſent diſpoſition of men's minds, to inflame

than appeaſe the general diſcontent. Thoſe great ſupports of public authority, law and religion, had likewiſe, by the unbounded compliance of judges and prelates, loſt much of their influence over the people; or rather had in a great meaſure gone over to the ſide of faction, and authoriſed the ſpirit of oppoſition and rebellion. The nobility alſo, whom the king had no means of retaining by offices and preferments ſuitable to their rank, had been ſeized with the general diſcontent, and unwarily threw themſelves into the ſcale which already began too much to preponderate. Senſible of ſome encroachments, which had been made by royal authority, men entertained no jealouſy of the commons, whoſe enterpriſes for the acquiſition of power had ever been covered with the appearance of public good, and had hitherto gone no farther than ſome diſappointed efforts and endeavours. The progreſs of the Scottiſh malcontents reduced the crown to an entire dependance for ſupply; their union with the popular party in England brought great acceſſion of authority to the latter; the near proſpect of ſucceſs rouſed all latent murmurs and pretenſions, which had hitherto been held in ſuch violent conſtraint; and the torrent of general inclination and opinion ran ſo ſtrongly againſt the court, that the king was in no ſituation to refuſe any reaſonable demands of the popular leaders, either for defining or limiting the powers of his prerogative: even many exorbitant claims, in his preſent ſituation, would probably be made, and muſt neceſſarily be complied with.

The triumph of the malcontents over the church was not yet ſo immediate or certain. Though the political and religious puritans mutually lent aſſiſtance to each other, there were many who joined the former, yet declined all connexion with the latter. The hierarchy had been eſtabliſhed in England ever ſince the reformation; the Romiſh church, in all ages, had carefully maintained that form of eccleſiaſtical government; the ancient

fathers too bore teſtimony to epiſcopal juriſdiction; and, though parity may ſeem at firſt to have had place among Chriſtian paſtors, the period during which it prevailed was ſo ſhort, that few undiſputed traces of it remained in hiſtory. The biſhops, and their more zealous partiſans, inferred thence the divine indefeſible right of prelacy; others regarded that inſtitution as venerable and uſeful; and, if the love of novelty led ſome to adopt the new rites and diſcipline of the puritans, the reverence to antiquity retained many in their attachment to the liturgy and government of the church. It behoved, therefore, the zealous innovators in parliament to proceed with ſome caution and reſerve. By promoting all meaſures which reduced the powers of the crown, they hoped to diſarm the king, whom they juſtly regarded, from principle, inclination, and policy, to be the determined patron of the hierarchy. By declaiming againſt the ſuppoſed encroachments and tyranny of the prelates, they endeavoured to carry the nation, from a hatred of their perſons, to an oppoſition againſt their office and character. And, when men were inliſted in party, it would not be difficult, they thought, to lead them by degrees into many meaſures for which they formerly entertained the greateſt averſion. Though the new ſectaries compoſed not at firſt the majority of the nation, they were inflamed, as is uſual among innovators, with extreme zeal for their opinions: their unſurmountable paſſion, diſguiſed to themſelves, as well as to others, under the appearance of holy fervours, was well qualified to make proſelytes, and to ſeize the minds of the ignorant multitude: and one furious enthuſiaſt was able, by his active induſtry, to ſurmount the indolent efforts of many ſober and reaſonable antagoniſts.

When the nation, therefore, was ſo generally diſcontented, and little ſuſpicion was entertained of any deſign to ſubvert the church and monarchy, no wonder that almoſt all elections ran

in favour of thoſe who, by their high pretenſions to piety and patriotiſm, had encouraged the national prejudices. It is a uſual compliment to regard the king's inclination in the choice of a ſpeaker; and Charles had intended to advance Gardiner, recorder of London, to that important truſt: but, ſo little intereſt did the crown at that time poſſeſs in the nation, that Gardiner was diſappointed of his election, not only in London, but in every other place where it was attempted; and the king was obliged to make the choice of ſpeaker fall on Lenthal, a lawyer of ſome character, but not ſufficiently qualified for ſo high and difficult an office.[a]

MEETING OF THE LONG PARLIAMENT. 1640.

THE eager expectations of men with regard to a parliament, ſummoned at ſo critical a juncture, and during ſuch general diſcontents; a parliament which, from the ſituation of public affairs, could not be abruptly diſſolved, and which was to execute every thing left unfiniſhed by former parliaments; theſe motives, ſo important and intereſting, engaged the attendance of all the members; and the houſe of commons was never obſerved to be, from the beginning, ſo full and numerous. Without any interval, therefore, they entered upon buſineſs, and, by unanimous -con ſent, they immediately ſtruck a blow which may in a manner be regarded as deciſive.

The earl of Strafford was conſidered as chief miniſter, both on account of the credit which he poſſeſſed with his maſter, and of his own great and uncommon vigour and capacity. By a concurrence of accidents this man laboured under the ſevere hatred of all the three nations which compoſed the Britiſh monarchy. The Scots, whoſe authority now ran extremely high, looked on him as the capital enemy of their country, and one

whoſe counſels and influence they had moſt reaſon to apprehend. He had engaged the parliament of Ireland to advance large ſubſidies, in order to ſupport a war againſt them: he had levied an army of nine thouſand men, with which he had menaced all their weſtern coaſt: he had obliged the Scots, who lived under his government, to renounce the covenant, their national idol: he had, in Ireland, proclaimed the Scottiſh covenanters rebels and traitors, even before the king had iſſued any ſuch declaration againſt them in England: and he had ever diſſuaded his maſter againſt the late treaty and ſuſpenſion of arms, which he regarded as dangerous and diſhonourable. So avowed and violent were the Scots in their reſentment of all theſe meaſures, that they had refuſed to ſend commiſſioners to treat at York, as was at firſt propoſed; becauſe, they ſaid, the lieutenant of Ireland, their capital enemy, being general of the king's forces, had there the chief command and authority.

Strafford, firſt as deputy, then as lord lieutenant, had governed Ireland during eight years with great vigilance, activity, and prudence; but with very little popularity. In a nation ſo averſe to the Engliſh government and religion, theſe very virtues were ſufficient to draw on him the public hatred. The manners too and character of this great man, though to all full of courteſy, and to his friends full of affection, were at bottom haughty, rigid, and ſevere. His authority and influence, during the time of his government, had been unlimited; but no ſooner did adverſity ſeize him than the concealed averſion of the nation blazed up at once, and the Iriſh parliament uſed every expedient to aggravate the charge againſt him.

The univerſal diſcontent which prevailed in England againſt the court was all pointed towards the earl of Strafford; though without any particular reaſon, but becauſe he was the miniſter of ſtate whom the king moſt favoured and moſt truſted. His

extraction was honourable, his paternal fortune conſiderable: yet envy attended his ſudden and great elevation. And his former aſſociates in popular counſels, finding that he owed his advancement to the deſertion of their cauſe, repreſented him as the great apoſtate of the commonwealth, whom it behoved them to ſacrifice as a victim to public juſtice.

Strafford, ſenſible of the load of popular prejudices under which he laboured, would gladly have declined attendance in parliament; and he begged the king's permiſſion to withdraw himſelf to his government of Ireland, at leaſt to remain at the head of the army in Yorkſhire; where many opportunities, he hoped, would offer, by reaſon of his diſtance, to elude the attacks of his enemies. But Charles, who had entire confidence in the earl's capacity, thought that his counſels would be extremely uſeful during the critical ſeſſion which approached. And, when Strafford ſtill inſiſted on the danger of his appearing amidſt ſo many enraged enemies, the king, little apprehenſive that his own authority was ſo ſuddenly to expire, promiſed him protection, and aſſured him that not a hair of his head ſhould be touched by the parliament.[b]

STRAFFORD IMPEACHED.

No ſooner was Strafford's arrival known than a concerted attack was made upon him in the houſe of commons. Pym, in a long, ſtudied diſcourſe, divided into many heads after his manner, enumerated all the grievances under which the nation laboured; and, from a complication of ſuch oppreſſions, inferred that a deliberate plan had been formed of changing entirely the frame of government, and ſubverting the ancient laws and liberties of the kingdom.[c] Could any thing, he ſaid, increaſe our indignation againſt ſo enormous and criminal a project, it would

be to find that, during the reign of the beſt of princes, the conſtitution had been endangered by the worſt of miniſters, and that the virtues of the king had been ſeduced by wicked and pernicious counſel. We muſt inquire, added he, from what fountain theſe waters of bitterneſs flow; and, though doubtleſs many evil counſellors will be found to have contributed their endeavours, yet is there one who challenges the infamous pre-eminence, and who, by his courage, enterpriſe, and capacity, is entitled to the firſt place among theſe betrayers of their country. He is the earl of Strafford, lieutenant of Ireland, and preſident of the council of York, who in both places, and in all other provinces where he has been intruſted with authority, has raiſed ample monuments of tyranny, and will appear, from a ſurvey of his actions, to be the chief promoter of every arbitrary counſel. Some inſtances of imperious expreſſions, as well as actions, were given by Pym; who afterwards entered into a more perſonal attack of that miniſter, and endeavoured to expoſe his whole character and manners. The auſtere genius of Strafford, occupied in the purſuits of ambition, had not rendered his breaſt altogether inacceſſible to the tender paſſions, or ſecured him from the dominion of the fair; and in that ſullen age, when the irregularities of pleaſure were more reproachful than the moſt odious crimes, theſe weakneſſes were thought worthy of being mentioned, together with his treaſons, before ſo great an aſſembly. And, upon the whole, the orator concluded that it belonged to the houſe to provide a remedy proportionable to the diſeaſe, and to prevent the farther miſchiefs juſtly to be apprehended from the influence which this man had acquired over the meaſures and counſels of their ſovereign.[d]

Sir John Clotworthy, an Iriſh gentleman, ſir John Hotham of Yorkſhire, and many others, entered into the ſame topics: and, after ſeveral hours ſpent in bitter invective, when the doors were

locked, in order to prevent all discovery of their purpose, it was moved, in consequence of the resolution secretly taken, that Strafford should immediately be impeached of high treason. This motion was received with universal approbation; nor was there, in all the debate, one person that offered to stop the torrent by any testimony in favour of the earl's conduct. Lord Falkland alone, though known to be his enemy, modestly desired the house to consider whether it would not better suit the gravity of their proceedings first to digest, by a committee, many of those particulars which had been mentioned, before they sent up an accusation against him. It was ingeniously answered, by Pym, that such a delay might probably blast all their hopes, and put it out of their power to proceed any farther in the prosecution: that, when Strafford should learn that so many of his enormities were discovered, his conscience would dictate his condemnation; and, so great was his power and credit, he would immediately procure the dissolution of the parliament, or attempt some other desperate measure for his own preservation: that the commons were only accusers, not judges; and it was the province of the peers to determine whether such a complication of enormous crimes, in one person, did not amount to the highest crime known by the law.[e] Without farther debate the impeachment was voted; Pym was chosen to carry it up to the lords; most of the house accompanied him on so agreeable an errand; and Strafford, who had just entered the house of peers, and who little expected so speedy a prosecution, was immediately, upon this general charge, ordered into custody, with several symptoms of violent prejudice in his judges as well as in his prosecutors.

LAUD IMPEACHED.

In the inquiry concerning grievances, and in the cenſure of paſt meaſures, Laud could not long eſcape the ſevere ſcrutiny of the commons; who were led too, in their accuſation of that prelate, as well by their prejudices againſt his whole order, as by the extreme antipathy which his intemperate zeal had drawn upon him. After a deliberation, which ſcarcely laſted half an hour, an impeachment of high treaſon was voted againſt this ſubject, the firſt, both in rank and in favour, throughout the kingdom. Though this incident, conſidering the example of Strafford's impeachment and the preſent diſpoſition of the nation and parliament, needed be no ſurpriſe to him, yet was he betrayed into ſome paſſion when the accuſation was preſented. The commons themſelves, he ſaid, though his accuſers, did not believe him guilty of the crimes with which they charged him; an indiſcretion which next day, upon more mature deliberation, he deſired leave to retract; but ſo little favourable were the peers, that they refuſed him this advantage or indulgence. Laud alſo was immediately, upon this general charge, ſequeſtered from parliament, and committed to cuſtody.[f]

LORD KEEPER FINCH FLIES.

The capital article, inſiſted on againſt theſe two great men, was the deſign which the commons ſuppoſed to have been formed of ſubverting the laws and conſtitution of England, and introducing arbitrary and unlimited authority into the kingdom. Of all the king's miniſters, no one was ſo obnoxious in this reſpect as the lord keeper Finch. He it was who, being ſpeaker in the king's third parliament, had left the chair, and refuſed to put

the queſtion when ordered by the houſe. The extrajudicial opinion of the judges in the caſe of ſhip money had been procured by his intrigues, perſuaſions, and even menaces. In all unpopular and illegal meaſures he was ever moſt active; and he was even believed to have declared publicly, that while he was keeper an order of council ſhould always, with him, be equivalent to a law. To appeaſe the riſing diſpleaſure of the commons, he deſired to be heard at their bar. He proſtrated himſelf with all humility before them: but this ſubmiſſion availed him nothing. An impeachment was reſolved on; and, in order to eſcape their fury, he thought proper ſecretly to withdraw, and retire into Holland. As he was not eſteemed equal to Strafford or even to Laud, either in capacity or in fidelity to his maſter, it was generally believed that his eſcape had been connived at by the popular leaders.[g] His impeachment, however, in his abſence, was carried up to the houſe of peers.

SECRETARY WINDEBANK FLIES.

Sir Francis Windebank, the ſecretary, was a creature of Laud's; a ſufficient reaſon for his being extremely obnoxious to the commons. He was ſecretly ſuſpected too of the crime of popery; and it was known that, from complaiſance to the queen, and indeed in compliance with the king's maxims of government, he had granted many indulgences to catholics, and had ſigned warrants for the pardon of prieſts, and their delivery from confinement. Grimſtone, a popular member, called him, in the houſe, the very pander and broker[h] to the whore of Babylon. Finding that the ſcrutiny of the commons was pointed towards him, and being ſenſible that England was no longer a place of ſafety for men of his character, he ſuddenly made his eſcape into France.[i]

Thus, in a few weeks, this houſe of commons, not oppoſed, or rather ſeconded, by the peers, had produced ſuch a revolution in the government, that the two moſt powerful and moſt favoured miniſters of the king were thrown into the tower, and daily expected to be tried for their life: two other miniſters had, by flight alone, ſaved themſelves from a like fate: all the king's ſervants ſaw that no protection could be given them by their maſter: a new juriſdiction was erected in the nation; and before that tribunal all thoſe trembled who had before exulted moſt in their credit and authority.

GREAT AUTHORITY OF THE COMMONS.

WHAT rendered the power of the commons more formidable was the extreme prudence with which it was conducted. Not content with the authority which they had acquired by attacking theſe great miniſters, they were reſolved to render the moſt conſiderable bodies of the nation obnoxious to them. Though the idol of the people, they determined to fortify themſelves likewiſe with terrors, and to overawe thoſe who might ſtill be inclined to ſupport the falling ruins of monarchy.

During the late military operations ſeveral powers had been exerciſed by the lieutenants and deputy-lieutenants of counties: and theſe powers, though neceſſary for the defence of the nation, and even warranted by all former precedent, yet, not being authoriſed by ſtatute, were now voted to be illegal, and the perſons who had aſſumed them declared delinquents. This term was newly come into vogue, and expreſſed a degree and ſpecies of guilt not exactly known or aſcertained. In conſequence of that determination, many of the nobility and prime gentry of the nation, while only exerting, as they juſtly thought, the legal powers of magiſtracy, unexpectedly found themſelves involved

in the crime of delinquency. And the commons reaped this multiplied advantage by their vote: they diſarmed the crown; they eſtabliſhed the maxims of rigid law and liberty; and they ſpread the terror of their own authority.[k]

The writs for ſhip money had been directed to the ſheriffs, who were required, and even obliged, under ſevere penalties, to aſſeſs the ſums upon individuals, and to levy them by their authority: yet were all the ſheriffs, and all thoſe who had been employed in that illegal ſervice, voted, by a very rigorous ſentence, to be delinquents. The king, by the maxims of law, could do no wrong; his miniſters and ſervants, of whatever degree, in caſe of any violation of the conſtitution, were alone culpable.[l]

All the farmers and officers of the cuſtoms, who had been employed during ſo many years in levying tonnage and poundage, and the new impoſitions, were likewiſe declared criminals, and were afterwards glad to compound for a pardon by paying a fine of one hundred and fifty thouſand pounds.

Every diſcretionary or arbitrary ſentence of the ſtar chamber and high commiſſion courts, which, from their very conſtitution, were arbitrary, underwent a ſevere ſcrutiny; and all thoſe who had concurred in ſuch ſentences were voted to be liable to the penalties of law.[m] No miniſter of the king, no member of the council, but found himſelf expoſed by this deciſion.

The judges who had given their vote againſt Hambden, in the trial of ſhip money, were accuſed before the peers, and obliged to find ſurety for their appearance. Berkley, a judge of the king's bench, was ſeized by order of the houſe, even when ſitting in his tribunal; and all men ſaw with aſtoniſhment the irreſiſtible authority of their juriſdiction.[n]

The ſanction of the lords and commons, as well as that of the king, was declared neceſſary for the confirmation of eccleſiaſtical canons.[o] And this judgment, it muſt be confeſſed, however rea-

ſonable, at leaſt uſeful, it would have been difficult to juſtify by any precedent.[p] But the preſent was no time for queſtion or diſpute. That deciſion, which aboliſhed all legiſlative power except that of parliament, was requiſite for completing the new plan of liberty, and rendering it quite uniform and ſyſtematical. Almoſt all the bench of biſhops, and the moſt conſiderable of the inferior clergy, who had voted in the late convocation, found themſelves expoſed by theſe new principles to the imputation of delinquency.[q]

The moſt unpopular of all Charles's meaſures, and the leaſt juſtifiable, was the revival of monopolies, ſo ſolemnly aboliſhed, after reiterated endeavours, by a recent act of parliament. Senſible of this unhappy meaſure, the king had of himſelf recalled, during the time of his firſt expedition againſt Scotland, many of theſe oppreſſive patents; and the reſt were now annulled by authority of parliament, and every one who was concerned in them declared delinquents. The commons carried ſo far their deteſtation of this odious meaſure, that they aſſumed a power which had formerly been ſeldom practiſed,[r] and they expelled all their members who were monopoliſts or projectors: an artifice by which, beſides increaſing their own privileges, they weakened ſtill farther the very ſmall party which the king ſecretly retained in the houſe. Mildmay, a notorious monopoliſt, yet having aſſociated himſelf with the ruling party, was ſtill allowed to keep his ſeat. In all queſtions indeed of elections, no ſteady rule of deciſion was obſerved; and nothing farther was regarded than the affections and attachments [s] of the parties. Men's paſſions were too much heated to be ſhocked with any inſtance of injuſtice, which ſerved ends ſo popular as thoſe which were purſued by this houſe of commons.

The whole ſovereign power being thus in a manner transferred to the commons, and the government, without any ſeeming vio-

lence or diſorder, being changed in a moment from a monarchy almoſt abſolute to a pure democracy, the popular leaders ſeemed willing for ſome time to ſuſpend their active vigour, and to conſolidate their authority, ere they proceeded to any violent exerciſe of it. Every day produced ſome new harangue on paſt grievances. The deteſtation of former uſurpations was farther enlivened; the jealouſy of liberty rouſed; and, agreeably to the ſpirit of free government, no leſs indignation was excited by the view of a violated conſtitution than by the ravages of the moſt enormous tyranny.

This was the time when genius and capacity of all kinds, freed from the reſtraint of authority, and nouriſhed by unbounded hopes and projects, began to exert themſelves, and be diſtinguiſhed by the public. Then was celebrated the ſagacity of Pym, more fitted for uſe than ornament; matured, not chilled, by his advanced age and long experience: then was diſplayed the mighty ambition of Hambden, taught diſguiſe, not moderation, from former conſtraint; ſupported by courage, conducted by prudence, embelliſhed by modeſty; but, whether founded in a love of power or zeal for liberty, is ſtill, from his untimely end, left doubtful and uncertain: then too were known the dark, ardent, and dangerous character of St. John; the impetuous ſpirit of Hollis, violent and ſincere, open and entire in his enmities and in his friendſhips; the enthuſiaſtic genius of young Vane, extravagant in the ends which he purſued, ſagacious and profound in the means which he employed, incited by the appearances of religion, negligent of the duties of morality.

So little apology would be received for paſt meaſures, ſo contagious the general ſpirit of diſcontent, that even men of the moſt moderate tempers, and the moſt attached to the church and monarchy, exerted themſelves with the utmoſt vigour in the redreſs of grievances, and in proſecuting the authors of them.

The lively and animated Digby diſplayed his eloquence on this occaſion, the firm and undaunted Capel, the modeſt and candid Palmer. In this liſt too of patriot royaliſts are found the virtuous names of Hyde and Falkland. Though in their ultimate views and intentions theſe men differed widely from the former, in their preſent actions and diſcourſes an entire concurrence and unanimity was obſerved.

By the daily harangues and invectives againſt illegal uſurpations, not only the houſe of commons inflamed themſelves with the higheſt animoſity againſt the court; the nation caught new fire from the popular leaders, and ſeemed now to have made the firſt diſcovery of the many ſuppoſed diſorders in the government. While the law in ſeveral inſtances ſeemed to be violated they went no farther than ſome ſecret and calm murmurs, but mounted up into rage and fury as ſoon as the conſtitution was thought to be reſtored to its former integrity and vigour. The capital eſpecially, being the ſeat of parliament, was highly animated with the ſpirit of mutiny and diſaffection. Tumults were daily raiſed, ſeditious aſſemblies encouraged; and every man, neglecting his own buſineſs, was wholly intent on the defence of liberty and religion. By ſtronger contagion the popular affections were communicated from breaſt to breaſt in this place of general rendezvous and ſociety.

The harangues of members, now firſt publiſhed and diſperſed, kept alive the diſcontents againſt the king's adminiſtration. The pulpits, delivered over to puritanical preachers and lecturers, whom the commons arbitrarily ſettled in all the conſiderable churches, reſounded with faction and fanaticiſm. Vengeance was fully taken for the long ſilence and conſtraint in which, by the authority of Laud and the high commiſſion, theſe preachers had been retained. The preſs, freed from all fear or reſerve, ſwarmed with productions, dangerous by their ſeditious zeal and calumny

more than by any art or eloquence of compoſition. Noiſe and fury, cant and hypocriſy, formed the ſole rhetoric which, during this tumult of various prejudices and paſſions, could be heard or attended to.

The ſentence which had been executed againſt Prynne, Baſtwic, and Burton, now ſuffered a reviſal from parliament. Theſe libellers, far from being tamed by the rigorous puniſhments which they had undergone, ſhewed ſtill a diſpoſition of repeating their offence; and the miniſters were afraid leſt new ſatires ſhould iſſue from their priſons, and ſtill farther inflame the prevailing diſcontents. By an order, therefore, of council, they had been carried to remote priſons; Baſtwic to Scilly, Prynne to Jerſey, Burton to Guernſey. All acceſs to them was denied; and the uſe of books, and of pen, ink, and paper, was refuſed them. The ſentence for theſe additional puniſhments was immediately reverſed in an arbitrary manner by the commons: even the firſt ſentence, upon examination, was declared illegal; and the judges who paſſed it [t] were ordered to make reparation to the ſufferers. When the priſoners landed in England they were received and entertained with the higheſt demonſtrations of affection, were attended by a mighty confluence of company, their charges were borne with great magnificence, and liberal preſents beſtowed on them. On their approach to any town all the inhabitants crowded to receive them, and welcomed their reception with ſhouts and acclamations. Their train ſtill increaſed as they drew nigh to London. Some miles from the city the zealots of their party met them in great multitudes, and attended their triumphant entrance. Boughs were carried in this tumultuous proceſſion; the roads were ſtrewed with flowers; and, amidſt the higheſt exultations of joy, were intermingled loud and virulent invectives againſt the prelates, who had ſo cruelly perſecuted ſuch godly perſonages.[u] The more ignoble theſe men were, the more ſenſi-

ble was the inſult upon royal authority, and the more dangerous was the ſpirit of diſaffection and mutiny, which it diſcovered among the people.

Lilburne, Leighton, and every one that had been puniſhed for ſeditious libels during the preceding adminiſtration, now recovered their liberty, and were decreed damages from the judges and miniſters of juſtice.[x]

Not only the preſent diſpoſition of the nation enſured impunity to all libellers; a new method of framing and diſperſing libels was invented by the leaders of popular diſcontent. Petitions to parliament were drawn, craving redreſs againſt particular grievances; and, when a ſufficient number of ſubſcriptions were procured, the petitions were preſented to the commons, and immediately publiſhed. Theſe petitions became ſecret bonds of aſſociation among the ſubſcribers, and ſeemed to give undoubted ſanction and authority to the complaints which they contained.

It is pretended by hiſtorians [y] favourable to the royal cauſe, and is even aſſerted by the king himſelf in a declaration,[z] that a moſt diſingenuous or rather criminal practice prevailed in conducting many of theſe addreſſes. A petition was firſt framed; moderate, reaſonable, ſuch as men of character willingly ſubſcribed. The names were afterwards torn off, and affixed to another petition, which ſerved better the purpoſes of the popular faction. We may judge of the wild fury which prevailed throughout the nation, when ſo ſcandalous an impoſture, which affected ſuch numbers of people, could be openly practiſed without drawing infamy and ruin upon the managers.

So many grievances were offered, both by the members, and by petitions without doors, that the houſe was divided into above forty committees, charged each of them with the examination of ſome particular violation of law and liberty, which had

been complained of. Beſides the general committees of religion, trade, privileges, laws; many ſubdiviſions of theſe were framed, and a ſtrict ſcrutiny was every where carried on. It is to be remarked that, before the beginning of this century, when the commons aſſumed leſs influence and authority, complaints of grievances were uſually preſented to the houſe by any members who had had particular opportunity of obſerving them. Theſe general committees, which were a kind of inquiſitorial courts, had not then been eſtabliſhed; and we find that the king, in a former declaration,[a] complains loudly of this innovation, ſo little favourable to royal authority. But never was ſo much multiplied as at preſent the uſe of theſe committees; and the commons, though themſelves the greateſt innovators, employed the uſual artifice of complaining againſt innovations, and pretending to recover the ancient and eſtabliſhed government.

From the reports of their committees the houſe daily paſſed votes which mortified and aſtoniſhed the court, and inflamed and animated the nation. Ship money was declared illegal and arbitrary; the ſentence againſt Hambden cancelled; the court of York aboliſhed; compoſitions for knighthood ſtigmatized; the enlargement of the foreſts condemned; patents for monopolies annulled; and every late meaſure of adminiſtration treated with reproach and obloquy. To-day a ſentence of the ſtar chamber was exclaimed againſt; to-morrow a decree of the high commiſſion. Every diſcretionary act of council was repreſented as arbitrary and tyrannical; and the general inference was ſtill inculcated, that a formed deſign had been laid to ſubvert the laws and conſtitution of the kingdom.

From neceſſity the king remained entirely paſſive during all theſe violent operations. The few ſervants who continued faithful to him were ſeized with aſtoniſhment at the rapid progreſs made by the commons in power and popularity, and were glad,

by their unactive and inoffenſive behaviour, to compound for impunity. The torrent riſing to ſo dreadful and unexpected a height, deſpair ſeized all thoſe who from intereſt or habit were moſt attached to monarchy. And, as for thoſe who maintained their duty to the king merely from their regard to the conſtitution, they ſeemed by their concurrence to ſwell that inundation which began already to deluge every thing. 'You have taken the whole machine of government in pieces,' ſaid Charles in a diſcourſe to the parliament; 'a practice frequent with ſkilful artiſts when they deſire to clear the wheels from any ruſt which may have grown upon them. The engine,' continued he, 'may again be reſtored to its former uſe and motions, provided it be put up entire, ſo as not a pin of it be wanting.' But this was far from the intention of the commons. The machine they thought, with ſome reaſon, was incumbered with many wheels and ſprings which retarded and croſſed its operations, and deſtroyed its utility. Happy, had they proceeded with moderation, and been contented, in their preſent plenitude of power, to remove ſuch parts only as might juſtly be deemed ſuperfluous and incongruous!

In order to maintain that high authority which they had acquired, the commons, beſides confounding and overawing their opponents, judged it requiſite to inſpire courage into their friends and adherents; particularly into the Scots, and the religious puritans, to whoſe aſſiſtance and good offices they were already ſo much beholden.

No ſooner were the Scots maſters of the northern counties, than they laid aſide their firſt profeſſions, which they had not indeed means to ſupport, of paying for every thing; and, in order to prevent the deſtructive expedient of plunder and free quarters, the country conſented to give them a regular contribution of eight hundred and fifty pounds a day, in full of their

ſubſiſtence.[b] The parliament, that they might relieve the northern counties from ſo grievous a burden, agreed to remit pay to the Scottiſh as well as to the Engliſh army; and, becauſe ſubſidies would be levied too ſlowly for ſo urgent an occaſion, money was borrowed from the citizens upon the ſecurity of particular members. Two ſubſidies, a very ſmall ſum,[c] were at firſt voted; and, as the intention of this ſupply was to indemnify the members, who by their private had ſupported public credit, this pretence was immediately laid hold of, and the money was ordered to be paid, not into the treaſury, but to commiſſioners appointed by parliament; a practice which, as it diminiſhed the authority of the crown, was willingly embraced, and was afterwards continued by the commons, with regard to every branch of revenue which they granted to the king. The invaſion of the Scots had evidently been the cauſe of aſſembling the parliament: the preſence of their army reduced the king to that total ſubjection in which he was now held: the commons, for this reaſon, openly profeſſed their intention of retaining theſe invaders till all their own enemies ſhould be ſuppreſſed, and all their purpoſes effected. 'We cannot yet ſpare the Scots,' ſaid Strode plainly in the houſe; 'the ſons of Zeruiah [d] are ſtill too ſtrong for us:' an alluſion to a paſſage of ſcripture, according to the mode of that age. Eighty thouſand pounds a month were requiſite for the ſubſiſtence of the two armies; a ſum much greater than the ſubject had ever been accuſtomed, in any former period, to pay to the public. And, though ſeveral ſubſidies, together with a poll tax, were from time to time voted to anſwer the charge, the commons ſtill took care to be in debt, in order to render the continuance of the ſeſſion the more neceſſary.

The Scots being ſuch uſeful allies to the malcontent party in England, no wonder they were courted with the moſt unlimited complaiſance and the moſt important ſervices. The king having,

in his firſt ſpeech, called them rebels, obſerved that he had given great offence to the parliament; and he was immediately obliged to ſoften, and even retract, the expreſſion. The Scottiſh commiſſioners, of whom the moſt conſiderable were the earl of Rothes and lord Loudon, found every advantage in conducting their treaty; yet made no haſte in bringing it to an iſſue. They were lodged in the city, and kept an intimate correſpondence, as well with the magiſtrates, who were extremely diſaffected, as with the popular leaders in both houſes. St. Antholine's church was aſſigned them for their devotions; and their chaplains here began openly to practiſe the preſbyterian form of worſhip, which, except in foreign languages, had never hitherto been allowed any indulgence or toleration. So violent was the general propenſity towards this new religion, that multitudes of all ranks crowded to the church. Thoſe who were ſo happy as to find acceſs early in the morning kept their places the whole day; thoſe who were excluded clung to the doors or windows, in hopes of catching, at leaſt, ſome diſtant murmur or broken phraſes of the holy rhetoric.[e] All the eloquence of parliament, now well refined from pedantry, animated with the ſpirit of liberty, and employed in the moſt important intereſts, was not attended to with ſuch inſatiable avidity as were theſe lectures, delivered with ridiculous cant and a provincial accent, full of barbariſm and of ignorance.

The moſt effectual expedient for paying court to the zealous Scots was to promote the preſbyterian diſcipline and worſhip throughout England; and to this innovation the popular leaders among the commons, as well as their more devoted partiſans, were of themſelves ſufficiently inclined. The puritanical party, whoſe progreſs, though ſecret, had hitherto been gradual in the kingdom, taking advantage of the preſent diſorders, began openly to profeſs their tenets, and to make furious attacks on the eſta-

bliſhed religion. The prevalence of that ſect in the parliament diſcovered itſelf, from the beginning, by inſenſible but deciſive ſymptoms. Marſhall and Burgeſs, two puritanical clergymen, were choſen to preach before them, and entertained them with diſcourſes ſeven hours in length.[f] It being the cuſtom of the houſe always to take the ſacrament before they enter upon buſineſs, they ordered, as a neceſſary preliminary, that the communion table ſhould be removed from the eaſt end of St. Margaret's into the middle of the area.[g] The name of the ſpiritual lords was commonly left out in acts of parliament; and the laws ran in the name of king, lords, and commons. The clerk of the upper houſe, in reading bills, turned his back on the bench of biſhops; nor was his inſolence ever taken notice of. On a day appointed for a ſolemn faſt and humiliation, all the orders of temporal peers, contrary to former practice, in going to church, took place of the ſpiritual; and lord Spencer remarked that the humiliation that day ſeemed confined alone to the prelates.

THE BISHOPS ATTACKED.

Every meeting of the commons produced ſome vehement harangue againſt the uſurpations of the biſhops, againſt the high commiſſion, againſt the late convocation, againſt the new canons. So diſguſted were all lovers of civil liberty at the doctrines promoted by the clergy, that theſe invectives were received without control; and no diſtinction at firſt appeared between ſuch as deſired only to repreſs the exorbitancies of the hierarchy, and ſuch as pretended totally to annihilate epiſcopal juriſdiction. Encouraged by theſe favourable appearances, petitions againſt the church were framed in different parts of the kingdom. The epithet of the ignorant and vicious prieſthood was commonly applied to all churchmen addicted to the eſtabliſhed diſcipline

and worſhip; though the epiſcopal clergy in England, during that age, ſeem to have been, as they are at preſent, ſufficiently learned and exemplary. An addreſs againſt epiſcopacy was preſented by twelve clergymen to the committee of religion, and pretended to be ſigned by many hundreds of the puritanical perſuaſion. But what made moſt noiſe was the city petition for a total alteration of church government; a petition to which fifteen thouſand ſubſcriptions were annexed, and which was preſented by alderman Pennington, the city member.[h] It is remarkable that, among the many eccleſiaſtical abuſes there complained of, an allowance, given by the licenſers of books, to publiſh a tranſlation of Ovid's Art of Love, is not forgotten by theſe ruſtic cenſors.[i]

Notwithſtanding the favourable diſpoſition of the people, the leaders in the houſe reſolved to proceed with caution. They introduced a bill for prohibiting all clergymen the exerciſe of any civil office. As a conſequence, the biſhops were to be deprived of their ſeats in the houſe of peers; a meaſure not unacceptable to the zealous friends of liberty, who obſerved with regret the devoted attachment of that order to the will of the monarch. But, when this bill was preſented to the peers, it was rejected by a great majority:[k] the firſt check which the commons had received in their popular career, and a prognoſtic of what they might afterwards expect from the upper houſe, whoſe inclinations and intereſts could never be totally ſeparated from the throne. But, to ſhew how little they were diſcouraged, the puritans immediately brought in another bill for the total abolition of epiſcopacy; though they thought proper to let that bill ſleep at preſent, in expectation of a more favourable opportunity of reviving it.[l]

Among other acts of regal executive power, which the commons were every day aſſuming, they iſſued orders for demoliſh-

ing all images, altars, crucifixes. The zealous ſir Robert Harley, to whom the execution of theſe orders was committed, removed all croſſes even out of ſtreets and markets; and, from his abhorrence of that ſuperſtitious figure, would not any where allow one piece of wood or ſtone to lie over another at right angles.[m]

The biſhop of Ely and other clergymen were attacked on account of innovations.[n] Cozens, who had long been obnoxious, was expoſed to new cenſures. This clergyman, who was dean of Peterborough, was extremely zealous for eccleſiaſtical ceremonies: and, ſo far from permitting the communicants to break the ſacramental bread with their fingers, a privilege on which the puritans ſtrenuouſly inſiſted, he would not ſo much as allow it to be cut with an ordinary houſehold inſtrument. A conſecrated knife muſt perform that ſacred office, and muſt never afterwards be profaned by any vulgar ſervice.[o]

Cozens likewiſe was accuſed of having ſaid, 'The king has no more authority in eccleſiaſtical matters [p] than the boy who rubs my horſe's heels.' The expreſſion was violent: but it is certain that all thoſe high churchmen, who were ſo induſtrious in reducing the laity to ſubmiſſion, were extremely fond of their own privileges and independency, and were deſirous of exempting the mitre from all ſubjection to the crown.

A committee was elected by the lower houſe as a court of inquiſition upon the clergy, and was commonly denominated the committee of ſcandalous miniſters. The politicians among the commons were appriſed of the great importance of the pulpit for guiding the people; the bigots were enraged againſt the prelatical clergy; and both of them knew that no eſtabliſhed government could be overthrown by ſtrictly obſerving the principles of juſtice, equity, or clemency. The proceedings, therefore, of this famous committee, which continued for ſeveral years, were cruel and arbitrary, and made great havoc both on

the church and the univerſities. They began with haraſſing, impriſoning, and moleſting, the clergy; and ended with ſequeſtrating and ejecting them. In order to join contumely to cruelty, they gave the ſufferers the epithet of ſcandalous, and endeavoured to render them as odious [q] as they were miſerable. The greateſt vices, however, which they could reproach to a great part of them, were, bowing at the name of Jeſus, placing the communion table in the eaſt, reading the king's orders for ſports on Sunday, and other practices, which the eſtabliſhed government, both in church and ſtate, had ſtrictly enjoined them.

It may be worth obſerving, that all hiſtorians, who lived near that age, or, what perhaps is more deciſive, all authors who have caſually made mention of thoſe public tranſactions, ſtill repreſent the civil diſorders and convulſions as proceeding from religious controverſy, and conſider the political diſputes about power and liberty as entirely ſubordinate to the other. It is true, had the king been able to ſupport government, and at the ſame time to abſtain from all invaſion of national privileges, it ſeems not probable that the puritans ever could have acquired ſuch authority as to overturn the whole conſtitution: yet ſo entire was the ſubjection into which Charles was now fallen, that, had not the wound been poiſoned by the infuſion of theological hatred, it muſt have admitted of an eaſy remedy. Diſuſe of parliaments, impriſonments and proſecution of members, ſhip money, an arbitrary adminiſtration; theſe were loudly complained of: but the grievances which tended chiefly to inflame the parliament and nation, eſpecially the latter, were the ſurplice, the rails placed about the altar, the bows exacted on approaching it, the liturgy, the breach of the ſabbath, embroidered copes, lawn ſleeves, the uſe of the ring in marriage, and of the croſs in baptiſm. On account of theſe were the popular leaders content to throw the government into ſuch violent convulſions; and, to the

diſgrace of that age, and of this iſland, it muſt be acknowledged that the diſorders in Scotland entirely, and thoſe in England moſtly, proceeded from ſo mean and contemptible an origin.[r]

Some perſons, partial to the patriots of this age, have ventured to put them in balance with the moſt illuſtrious characters of antiquity; and mentioned the names of Pym, Hambden, Vane, as a juſt parallel to thoſe of Cato, Brutus, Caſſius. Profound capacity, indeed, undaunted courage, extenſive enterpriſe; in theſe particulars perhaps the Roman do not much ſurpaſs the Engliſh worthies: but what a difference, when the diſcourſe, conduct, converſation, and private as well as public behaviour, of both are inſpected! Compare only one circumſtance, and conſider its conſequences. The leiſure of thoſe noble ancients was totally employed in the ſtudy of Grecian eloquence and philoſophy, in the cultivation of polite letters and civilized ſociety; the whole diſcourſe and language of the moderns were polluted with myſterious jargon, and full of the loweſt and moſt vulgar hypocriſy.

The laws, as they ſtood at preſent, protected the church, but they expoſed the catholics to the utmoſt rage of the puritans; and theſe unhappy religioniſts, ſo obnoxious to the prevailing ſect, could not hope to remain long unmoleſted. The voluntary contribution which they had made, in order to aſſiſt the king in his war againſt the Scottiſh covenanters, was inquired into, and repreſented as the greateſt enormity.[s] By an addreſs from the commons, all officers of that religion were removed from the army, and application was made to the king for ſeizing two thirds of the lands of recuſants; a proportion to which, by law, he was entitled, but which he had always allowed them to poſſeſs upon eaſy compoſitions. The execution of the ſevere and bloody laws againſt prieſts was inſiſted on; and one Goodman, a jeſuit, who was found in priſon, was condemned to a capital

puniſhment. Charles, however, agreeably to his uſual principles, ſcrupled to ſign the warrant for his execution; and the commons expreſſed great reſentment on the occaſion.[t] There remains a ſingular petition of Goodman, begging to be hanged, rather than prove a ſource of contention between the king and his people.[u] He eſcaped with his life; but it ſeems more probable that he was overlooked amidſt affairs of greater conſequence, than that ſuch unrelenting hatred would be ſoftened by any conſideration of his courage and generoſity.

For ſome years Con, a Scotchman, afterwards Roſetti, an Italian, had openly reſided at London, and frequented the court, as veſted with a commiſſion from the pope. The queen's zeal, and her authority with her huſband, had been the cauſe of this imprudence, ſo offenſive to the nation.[x] But the ſpirit of bigotry now roſe too high to permit any longer ſuch indulgences.[y]

Hayward, a juſtice of peace, having been wounded, when employed in the exerciſe of his office, by one James, a catholic madman, this enormity was aſcribed to the popery, not to the phrenzy, of the aſſaſſin; and great alarms ſeized the nation and parliament. An univerſal conſpiracy of the papiſts was ſuppoſed to have taken place; and every man for ſome days imagined that he had a ſword at his throat. Though ſome perſons of family and diſtinction were ſtill attached to the catholic ſuperſtition, it is certain that the numbers of that ſect did not amount to the fortieth part of the nation: and the frequent panics to which men, during this period, were ſo ſubject on account of the catholics, were leſs the effects of fear than of extreme rage and averſion entertained againſt them.

The queen mother of France, having been forced into baniſhment by ſome court intrigues, had retired into England; and expected ſhelter, amidſt her preſent diſtreſſes, in the dominions of her daughter and ſon-in-law: but, though ſhe behaved in the

moſt inoffenſive manner, ſhe was inſulted by the populace on account of her religion; and was even threatened with worſe treatment. The earl of Holland, lieutenant of Middleſex, had ordered a hundred muſqueteers to guard her; but, finding that they had imbibed the ſame prejudices with the reſt of their countrymen, and were unwillingly employed in ſuch a ſervice, he laid the caſe before the houſe of peers; for the king's authority was now entirely annihilated. He repreſented the indignity of the action, that ſo great a princeſs, mother to the king of France, and to the queens of Spain and England, ſhould be affronted by the multitude. He obſerved the indelible reproach which would fall upon the nation, if that unfortunate queen ſhould ſuffer any violence from the miſguided zeal of the people: he urged the ſacred rights of hoſpitality due to every one, much more to a perſon in diſtreſs, of ſo high a rank, with whom the nation was ſo nearly connected. The peers thought proper to communicate the matter to the commons, whoſe authority over the people was abſolute. The commons agreed to the neceſſity of protecting the queen mother; but at the ſame time prayed that ſhe might be deſired to depart the kingdom; 'for the quieting thoſe jealouſies in the hearts of his majeſty's well affected ſubjects, occaſioned by ſome ill inſtruments about that queen's perſon, by the flowing of prieſts and papiſts to her houſe, and by the uſe and practice of the idolatry of the maſs, and exerciſe of other ſuperſtitious ſervices of the Romiſh church, to the great ſcandal of true religion.'

Charles, in the former part of his reign, had endeavoured to overcome the intractable and encroaching ſpirit of the commons, by a perſeverance in his own meaſures, by a ſtately dignity of behaviour, and by maintaining, at their utmoſt height, and even perhaps ſtretching beyond former precedent, the rights of his prerogative. Finding, by experience, how unſucceſsful thoſe mea-

ſures had proved, and obſerving the low condition to which he was now reduced, he reſolved to alter his whole conduct, and to regain the confidence of his people by pliableneſs, by conceſſions, and by a total conformity to their inclinations and prejudices. It may ſafely be averred that this new extreme, into which the king, for want of proper counſel or ſupport, was fallen, became no leſs dangerous to the conſtitution, and pernicious to public peace, than the other, in which he had ſo long and ſo unfortunately perſevered.

TONNAGE AND POUNDAGE.

THE pretenſions with regard to tonnage and poundage were revived,[a] and with certain aſſurance of ſucceſs by the commons. The levying of theſe duties, as formerly, without conſent of parliament, and even increaſing them at pleaſure, was ſuch an incongruity in a free conſtitution, where the people, by their fundamental privileges, cannot be taxed but by their own conſent, as could no longer be endured by theſe jealous patrons of liberty. In the preamble therefore to the bill, by which the commons granted theſe duties to the king, they took care, in the ſtrongeſt and moſt poſitive terms, to aſſert their own right of beſtowing this gift, and to diveſt the crown of all independent title of aſſuming it. And, that they might increaſe, or rather finally fix, the entire dependance and ſubjection of the king, they voted theſe duties only for two months; and afterwards, from time to time, renewed their grant for very ſhort periods.[b] Charles, in order to ſhew that he entertained no intention ever again to ſeparate himſelf from his parliament, paſſed this important bill without any ſcruple or heſitation.[c]

TRIENNIAL BILL.

WITH regard to the bill for triennial parliaments, he made a little difficulty. By an old ſtatute, paſſed during the reign of Edward III, it had been enacted that parliaments ſhould be held once every year, or more frequently if neceſſary: but, as no proviſion had been made in caſe of failure, and no preciſe method pointed out for execution, this ſtatute had been conſidered merely as a general declaration, and was diſpenſed with at pleaſure. The defect was ſupplied by thoſe vigilant patriots who now aſſumed the reins of government. It was enacted that, if the chancellor, who was firſt bound under ſevere penalties, failed to iſſue writs by the third of September in every third year, any twelve or more of the peers ſhould be empowered to exert this authority: in default of the peers, that the ſheriffs, mayors, bailiffs, &c. ſhould ſummon the voters: and, in their default, that the voters themſelves ſhould meet and proceed to the election of members, in the ſame manner as if writs had been regularly iſſued from the crown. Nor could the parliament, after it was aſſembled, be adjourned, prorogued, or diſſolved, without their own conſent, during the ſpace of fifty days. By this bill ſome of the nobleſt and moſt valuable prerogatives of the crown were retrenched; but, at the ſame time, nothing could be more neceſſary than ſuch a ſtatute for completing a regular plan of law and liberty. A great reluctance to aſſemble parliaments muſt be expected in the king, where theſe aſſemblies, as of late, eſtabliſh it as a maxim to carry their ſcrutiny into every part of government. During long intermiſſions of parliament, grievances and abuſes, as was found by recent experience, would naturally creep in; and it would even become neceſſary for the king and council to exert a great diſcretionary authority, and by acts of ſtate to

ſupply, in every emergence, the legiſlative power, whoſe meeting was ſo uncertain and precarious. Charles, finding that nothing leſs would ſatisfy his parliament and people, at laſt gave his aſſent to this bill, which produced ſo great an innovation in the conſtitution.[d] Solemn thanks were preſented him by both houſes. Great rejoicings were expreſſed, both in the city and throughout the nation: and mighty profeſſions were every where made of gratitude and mutual returns of ſupply and confidence. This conceſſion of the king, it muſt be owned, was not entirely voluntary; it was of a nature too important to be voluntary. The ſole inference which his partiſans were entitled to draw, from the ſubmiſſions ſo frankly made to preſent neceſſity, was, that he had certainly adopted a new plan of government, and for the future was reſolved, by every indulgence, to acquire the confidence and affections of his people.

Charles thought that what conceſſions were made to the public were of little conſequence, if no gratifications were beſtowed on individuals, who had acquired the direction of public counſels and determinations. A change of miniſters as well as of meaſures was therefore reſolved on. In one day ſeveral new privy counſellors were ſworn; the earls of Hertford, Bedford, Eſſex, Briſtol; the lords Say, Saville, Kimbolton: within a few days after was admitted the earl of Warwick.[e] All theſe noblemen were of the popular party; and ſome of them afterwards, when matters were puſhed to extremities by the commons, proved the greateſt ſupport of monarchy.

Juxon, biſhop of London, who had never deſired the treaſurer's ſtaff, now earneſtly ſolicited for leave to reſign it, and retire to the care of that turbulent dioceſe committed to him. The king gave his conſent; and it is remarkable that, during all the ſevere inquiries carried on againſt the conduct of miniſters and prelates, the mild and prudent virtues of this man, who

bore both theſe invidious characters, remained unmoleſted.[f] It was intended that Bedford, a popular man, of great authority as well as wiſdom and moderation, ſhould ſucceed Juxon: but that nobleman, unfortunately both for king and people, died about this very time. By ſome promotions place was made for St. John, who was created ſolicitor general. Hollis was to be made ſecretary of ſtate, in the room of Windebank, who had fled; Pym, chancellor of the exchequer, in the room of lord Cottington, who had reſigned; lord Say, maſter of the wards, in the room of the ſame nobleman; the earl of Eſſex, governor; and Hambden, tutor to the prince.[g]

What retarded the execution of theſe projected changes was the difficulty of ſatisfying all thoſe who, from their activity and authority in parliament, had pretenſions for offices, and who ſtill had it in their power to embarraſs and diſtreſs the public meaſures. Their aſſociates too in popularity, whom the king intended to diſtinguiſh by his favour, were unwilling to undergo the reproach of having driven a ſeparate bargain, and of ſacrificing to their own ambitious views the cauſe of the nation: and, as they were ſenſible that they muſt owe their preferment entirely to their weight and conſideration in parliament, they were moſt of them reſolved ſtill to adhere to that aſſembly, and both to promote its authority and to preſerve their own credit in it. On all occaſions they had no other advice to give the king, than to allow himſelf to be directed by his great council; or, in other words, to reſign himſelf paſſively to their guidance and government. And Charles found that, inſtead of acquiring friends by the honours and offices which he ſhould beſtow, he ſhould only arm his enemies with more power to hurt him.

The end, on which the king was moſt intent in changing miniſters, was to ſave the life of the earl of Strafford, and to mollify, by theſe indulgences, the rage of his moſt furious proſecu-

tors. But ſo high was that nobleman's reputation for experience and capacity, that all the new counſellors and intended miniſters plainly ſaw that, if he eſcaped their vengeance, he muſt return into favour and authority; and they regarded his death as the only ſecurity which they could have, both for the eſtabliſhment of their preſent power and for ſucceſs in their future enterpriſes. His impeachment, therefore, was puſhed on with the utmoſt vigour; and, after long and ſolemn preparations, was brought to a final iſſue.

STRAFFORD'S TRIAL. 1641.

IMMEDIATELY after Strafford was ſequeſtered from parliament, and confined in the tower, a committee of thirteen was choſen by the lower houſe, and intruſted with the office of preparing a charge againſt him. Theſe, joined to a ſmall committee of lords, were veſted with authority to examine all witneſſes, to call for every paper, and to uſe any means of ſcrutiny, with regard to any part of the earl's behaviour and conduct.[h] After ſo general and unbounded an inquiſition, exerciſed by ſuch powerful and implacable enemies, a man muſt have been very cautious, or very innocent, not to afford, during the whole courſe of his life, ſome matter of accuſation againſt him.

This committee, by direction from both houſes, took an oath of ſecreſy; a practice very unuſual, and which gave them the appearance of conſpirators more than miniſters of juſtice.[i] But the intention of this ſtrictneſs was to render it more difficult for the earl to elude their ſearch, or prepare for his juſtification.

Application was made to the king, that he would allow this committee to examine privy counſellors with regard to opinions delivered at the board: a conceſſion which Charles unwarily

made, and which thenceforth baniſhed all mutual confidence from the deliberations of council; where every man is ſuppoſed to have entire freedom, without fear of future puniſhment or inquiry, of propoſing any expedient, queſtioning any opinion, or ſupporting any argument.[k]

Sir George Ratcliffe, the earl's intimate friend and confident, was accuſed of high treaſon, ſent for from Ireland, and committed to cloſe cuſtody. As no charge ever appeared or was proſecuted againſt him, it is impoſſible to give a more charitable interpretation to this meaſure, than that the commons thereby intended to deprive Strafford, in his preſent diſtreſs, of the aſſiſtance of his beſt friend, who was moſt enabled, by his teſtimony, to juſtify the innocence of his patron's conduct and behaviour.[l]

When intelligence arrived in Ireland of the plans laid for Strafford's ruin, the Iriſh houſe of commons, though they had very lately beſtowed ample praiſes on his adminiſtration, entered into all the violent counſels againſt him, and prepared a repreſentation of the miſerable ſtate into which, by his miſconduct, they ſuppoſed the kingdom to be fallen. They ſent over a committee to London, to aſſiſt in the proſecution of their unfortunate governor; and, by intimations from this committee, who entered into cloſe confederacy with the popular leaders in England, was every meaſure of the Iriſh parliament governed and directed. Impeachments, which were never proſecuted, were carried up againſt ſir Richard Bolton, the chancellor, ſir Gerard Louther, chief juſtice, and Bramhall, biſhop of Derry.[m] This ſtep, which was an exact counterpart to the proceedings in England, ſerved alſo the ſame purpoſes: it deprived the king of the miniſters whom he moſt truſted; it diſcouraged and terrified all the other miniſters; and it prevented thoſe perſons, who were beſt acquainted with Strafford's counſels, from giving evidence in his favour before the Engliſh parliament.

The biſhops, being forbidden by the ancient canons to aſſiſt in trials for life, and being unwilling by any oppoſition to irritate the commons, who were already much prejudiced againſt them, thought proper of themſelves to withdraw.[n] The commons alſo voted that the new created peers ought to have no voice in this trial; becauſe, the accuſation being agreed to while they were commoners, their conſent to it was implied with that of all the commons of England. Notwithſtanding this deciſion, which was meant only to deprive Strafford of ſo many friends, lord Seymour and ſome others ſtill continued to keep their ſeat; nor was their right to it any farther queſtioned.[o]

To beſtow the greater ſolemnity on this important trial, ſcaffolds were erected in Weſtminſter-hall; where both houſes ſat, the one as accuſers, the other as judges. Beſides the chair of ſtate, a cloſe gallery was prepared for the king and queen, who attended during the whole trial.[p]

An accuſation, carried on by the united effort of three kingdoms, againſt one man, unprotected by power, unaſſiſted by counſel, diſcountenanced by authority, was likely to prove a very unequal conteſt: yet ſuch were the capacity, genius, preſence of mind, diſplayed by this magnanimous ſtateſman, that, while argument and reaſon and law had any place, he obtained an undiſputed victory. And he periſhed at laſt, overwhelmed and ſtill unſubdued, by the open violence of his fierce and unrelenting antagoniſts.

The articles of impeachment againſt Strafford are twenty-eight in number; and regard his conduct as preſident of the council of York, as deputy or lieutenant of Ireland, and as counſellor or commander in England. But, though four months were employed by the managers in framing the accuſation, and all Strafford's anſwers were extemporary, it appears from compariſon, not only that he was free from the crime of treaſon, of

which there is not the leaſt appearance, but that his conduct, making allowance for human infirmities, expoſed to ſuch ſevere ſcrutiny, was innocent, and even laudable.

The powers of the northern council, while he was preſident, had been extended by the king's inſtructions beyond what formerly had been practiſed: but, that court being at firſt inſtituted by a ſtretch of royal prerogative, it had been uſual for the prince to vary his inſtructions; and the largeſt authority committed to it was altogether as legal as the moſt moderate and moſt limited. Nor was it reaſonable to conclude that Strafford had uſed any art to procure thoſe extenſive powers, ſince he never once ſat as preſident, or exerciſed one act of juriſdiction, after he was inveſted with the authority ſo much complained of.[q]

In the government of Ireland his adminiſtration had been equally promotive of his maſter's intereſts, and that of the ſubjects committed to his care. A large debt he had paid off; he had left a conſiderable ſum in the exchequer; the revenue, which never before anſwered the charges of government, was now raiſed to be equal to them;[r] a ſmall ſtanding army, formerly kept in no order, was augmented, and was governed by exact diſcipline; and a great force was there raiſed and paid, for the ſupport of the king's authority againſt the Scottiſh covenanters.

Induſtry, and all the arts of peace, were introduced among that rude people; the ſhipping of the kingdom augmented a hundred fold;[s] the cuſtoms tripled upon the ſame rates;[t] the exports double in value to the imports; manufactures, particularly that of linen, introduced and promoted;[u] agriculture, by means of the Engliſh and Scottiſh plantations, gradually advancing; the proteſtant religion encouraged, without the perſecution or diſcontent of the catholics.

The ſprings of authority he had enforced without overſtraining them. Diſcretionary acts of juriſdiction, indeed, he had often

exerted, by holding courts-martial, billetting ſoldiers, deciding cauſes upon paper petitions before the council, iſſuing proclamations, and puniſhing their infraction. But diſcretionary authority, during that age, was uſually exerciſed even in England. In Ireland it was ſtill more requiſite, among a rude people, not yet thoroughly ſubdued, averſe to the religion and manners of their conquerors, ready on all occaſions to relapſe into rebellion and diſorder. While the managers of the commons demanded every moment that the deputy's conduct ſhould be examined by the line of rigid law and ſevere principles, he appealed ſtill to the practice of all former deputies, and to the uncontrollable neceſſity of his ſituation.

So great was his art of managing elections and balancing parties, that he had engaged the Iriſh parliament to vote whatever was neceſſary, both for the payment of former debts and for ſupport of the new levied army; nor had he ever been reduced to the illegal expedients practiſed in England for the ſupply of public neceſſities. No imputation of rapacity could juſtly lie againſt his adminiſtration: ſome inſtances of imperious expreſſions, and even actions, may be met with: the caſe of lord Mountnorris, of all thoſe which were collected with ſo much induſtry, is the moſt flagrant and the leaſt excuſable.

It had been reported, at the table of lord chancellor Loftus, that Anneſley, one of the deputy's attendants, in moving a ſtool, had ſorely hurt his maſter's foot, who was at that time afflicted with the gout. 'Perhaps,' ſaid Mountnorris, who was preſent at table, 'it was done in revenge of that public affront which my lord deputy formerly put upon him: but he has a brother, who would not have taken ſuch a revenge.' This caſual, and ſeemingly innocent, at leaſt ambiguous, expreſſion, was reported to Strafford; who, on pretence that ſuch a ſuggeſtion might prompt Anneſley to avenge himſelf in another manner, ordered Mount-

norris, who was an officer, to be tried by a court-martial for mutiny and ſedition againſt his general. The court, which conſiſted of the chief officers of the army, found the crime to be capital, and condemned that nobleman to loſe his head.[x]

In vain did Strafford plead, in his own defence, againſt this article of impeachment, that the ſentence of Mountnorris was the deed, and that too unanimous, of the court, not the act of the deputy; that he ſpake not to a member of the court, nor voted in the cauſe, but ſat uncovered as a party, and then immediately withdrew, to leave them to their freedom; that, ſenſible of the iniquity of the ſentence, he procured his majeſty's free pardon to Mountnorris; and that he did not even keep that nobleman a moment in ſuſpenſe with regard to his fate, but inſtantly told him that he himſelf would ſooner loſe his right hand than execute ſuch a ſentence, nor was his lordſhip's life in any danger. In vain did Strafford's friends add, as a farther apology, that Mountnorris was a man of an infamous character, who paid court, by the loweſt adulation, to all deputies, while preſent; and blackened their character, by the vileſt calumnies, when recalled: and that Strafford, expecting like treatment, had uſed this expedient for no other purpoſe than to ſubdue the petulant ſpirit of the man. Theſe excuſes alleviate the guilt; but there ſtill remains enough to prove that the mind of the deputy, though great and firm, had been not a little debauched by the riot of abſolute power and uncontrolled authority.

When Strafford was called over to England, he found every thing falling into ſuch confuſion, by the open rebellion of the Scots, and the ſecret diſcontents of the Engliſh, that, if he had counſelled or executed any violent meaſure, he might perhaps have been able to apologize for his conduct from the great law of neceſſity, which admits not, while the neceſſity is extreme, of any ſcruple, ceremony, or delay.[y] But, in fact, no illegal advice

or action was proved againſt him; and the whole amount of his guilt, during this period, was ſome peeviſh, or at moſt imperious, expreſſions, which, amidſt ſuch deſperate extremities, and during a bad ſtate of health, had unhappily fallen from him.

If Strafford's apology was, in the main, ſo ſatisfactory when he pleaded to each particular article of the charge, his victory was ſtill more deciſive when he brought the whole together, and repelled the imputation of treaſon; the crime which the commons would infer from the full view of his conduct and behaviour. Of all ſpecies of guilt, the law of England had, with the moſt ſcrupulous exactneſs, defined that of treaſon; becauſe on that ſide it was found moſt neceſſary to protect the ſubject againſt the violence of the king and of his miniſters. In the famous ſtatute of Edward III all the kinds of treaſon are enumerated, and every other crime, beſides ſuch as are there expreſsly mentioned, is carefully excluded from that appellation. But, with regard to this guilt, 'an endeavour to ſubvert the fundamental laws,' the ſtatute of treaſons is totally ſilent: and arbitrarily to introduce it into the fatal catalogue is itſelf a ſubverſion of all law; and, under colour of defending liberty, reverſes a ſtatute the beſt calculated for the ſecurity of liberty that had ever been enacted by an Engliſh parliament.

As this ſpecies of treaſon, diſcovered by the commons, is entirely new and unknown to the laws, ſo is the ſpecies of proof by which they pretend to fix that guilt upon the priſoner. They have invented a kind of accumulative or conſtructive evidence, by which many actions, either totally innocent in themſelves, or criminal in a much inferior degree, ſhall, when united, amount to treaſon, and ſubject the perſon to the higheſt penalties inflicted by the law. A haſty and unguarded word, a raſh and paſſionate action, aſſiſted by the malevolent fancy of the accuſer, and tortured by doubtful conſtructions, is tranſmuted into the

deepeſt guilt; and the lives and fortunes of the whole nation, no longer protected by juſtice, are ſubjected to arbitrary will and pleaſure.

'Where has this ſpecies of guilt lain ſo long concealed?' ſaid Strafford in concluſion: 'where has this fire been ſo long buried, during ſo many centuries, that no ſmoke ſhould appear till it burſt out at once, to conſume me and my children? Better it were to live under no law at all, and by the maxims of cautious prudence to conform ourſelves, the beſt we can, to the arbitrary will of a maſter, than fancy we have a law on which we can rely, and find at laſt that this law ſhall inflict a puniſhment precedent to the promulgation, and try us by maxims unheard of till the very moment of the proſecution. If I fail on the Thames, and ſplit my veſſel on an anchor; in caſe there be no buoy to give warning, the party ſhall pay me damages: but, if the anchor be marked out, then is the ſtriking on it at my own peril. Where is the mark ſet upon this crime? where the token by which I ſhould diſcover it? It has lain concealed under water; and no human prudence, no human innocence, could ſave me from the deſtruction with which I am at preſent threatened.

'It is now full two hundred and forty years ſince treaſons were defined; and ſo long has it been ſince any man was touched to this extent, upon this crime, before myſelf. We have lived, my lords, happily to ourſelves at home; we have lived glorioufly abroad to the world: let us be content with what our fathers have left us: let not our ambition carry us to be more learned than they were in theſe killing and deſtructive arts. Great wiſdom it will be in your lordſhips, and juſt providence for yourſelves, for your poſterities, for the whole kingdom, to caſt from you, into the fire, theſe bloody and myſterious volumes of arbitrary and conſtructive treaſons, as the primitive Chriſtians did their books of curious arts; and betake yourſelves to the

plain letter of the ſtatute, which tells you where the crime is, and points out to you the path by which you may avoid it.

'Let us not, to our own deſtruction, awake thoſe ſleeping lions, by rattling up a company of old records, which have lain for ſo many ages by the wall forgotten and neglected. To all my afflictions add not this, my lords, the moſt ſevere of any; that I, for my other ſins, not for my treaſons, be the means of introducing a precedent ſo pernicious to the laws and liberties of my native country.

'However, theſe gentlemen at the bar ſay they ſpeak for the commonwealth; and they believe ſo: yet, under favour, it is I who, in this particular, ſpeak for the commonwealth. Precedents, like thoſe which are endeavoured to be eſtabliſhed againſt me, muſt draw along ſuch inconveniences and miſeries, that in a few years the kingdom will be in the condition expreſſed in a ſtatute of Henry IV; and no man ſhall know by what rule to govern his words and actions.

'Impoſe not, my lords, difficulties inſurmountable upon miniſters of ſtate, nor diſable them from ſerving with cheerfulneſs their king and country. If you examine them, and under ſuch ſevere penalties, by every grain, by every little weight, the ſcrutiny will be intolerable. The public affairs of the kingdom muſt be left waſte; and no wiſe man, who has any honour or fortune to loſe, will ever engage himſelf in ſuch dreadful, ſuch unknown perils.

'My lords, I have now troubled your lordſhips a great deal longer than I ſhould have done. Were it not for the intereſt of theſe pledges, which a ſaint in heaven left me, I ſhould be loth'....Here he pointed to his children, and his weeping ſtopped him....'What I forfeit for myſelf, it is nothing: but, I confeſs, that my indiſcretion ſhould forfeit for them, it wounds me very deeply. You will be pleaſed to pardon my infirmity: ſomething

I ſhould have ſaid; but I ſee I ſhall not be able, and therefore I ſhall leave it.

'And now, my lords, I thank God I have been, by his bleſſing, ſufficiently inſtructed in the extreme vanity of all temporary enjoyments, compared to the importance of our eternal duration. And ſo, my lords, even ſo, with all humility, and with all tranquillity of mind, I ſubmit, clearly and freely, to your judgments: and, whether that righteous doom ſhall be to life or death, I ſhall repoſe myſelf, full of gratitude and confidence,[z] in the arms of the great Author of my exiſtence.'

'Certainly,' ſays Whitlocke,[a] with his uſual candour, 'never any man acted ſuch a part, on ſuch a theatre, with more wiſdom, conſtancy, and eloquence, with greater reaſon, judgment, and temper, and with a better grace in all his words and actions, than did this great and excellent perſon; and he moved the hearts of all his auditors, ſome few excepted, to remorſe and pity.' It is remarkable that the hiſtorian, who expreſſes himſelf in theſe terms, was himſelf chairman of that committee which conducted the impeachment againſt this unfortunate ſtateſman. The accuſation and defence laſted eighteen days. The managers divided the ſeveral articles among them, and attacked the priſoner with all the weight of authority, with all the vehemence of rhetoric, with all the accuracy of long preparation. Strafford was obliged to ſpeak with deference and reſerve towards his moſt inveterate enemies, the commons, the Scottiſh nation, and the Iriſh parliament. He took only a very ſhort time, on each article, to recollect himſelf: yet he alone, without aſſiſtance, mixing modeſty and humility with firmneſs and vigour, made ſuch a defence, that the commons ſaw it impoſſible, by a legal proſecution, ever to obtain a ſentence againſt him.

But the death of Strafford was too important a ſtroke of party to be left unattempted by any expedient, however extraordinary.

Beſides the great genius and authority of that miniſter, he had threatened ſome of the popular leaders with an impeachment; and, had he not himſelf been ſuddenly prevented by the impeachment of the commons, he had that very day, it was thought, charged Pym, Hambden, and others, with treaſon, for having invited the Scots to invade England. A bill of attainder was therefore brought into the lower houſe immediately after finiſhing theſe pleadings; and, preparatory to it, a new proof of the earl's guilt was produced, in order to remove ſuch ſcruples as might be entertained with regard to a method of proceeding ſo unuſual and irregular.

Sir Henry Vane, ſecretary, had taken ſome notes of a debate in council after the diſſolution of the laſt parliament; and, being at a diſtance, he had ſent the keys of his cabinet, as was pretended, to his ſon, ſir Henry, in order to ſearch for ſome papers, which were neceſſary for completing a marriage ſettlement. Young Vane, falling upon this paper of notes, deemed the matter of the utmoſt importance; and immediately communicated it to Pym, who now produced the paper before the houſe of commons. The queſtion before the council was, 'Offenſive or defenſive war with the Scots.' The king propoſes this difficulty: 'But how can I undertake offenſive war if I have no more money?' The anſwer aſcribed to Strafford was in theſe words: 'Borrow of the city a hundred thouſand pounds: go on vigorouſly to levy ſhip money. Your majeſty having tried the affections of your people, you are abſolved and looſe from all rules of government, and may do what power will admit. Your majeſty, having tried all ways, ſhall be acquitted before God and man. And you have an army in Ireland, which you may employ to reduce this kingdom to obedience; for I am confident the Scots cannot hold out five months.' There followed ſome counſels of Laud and Cottington, equally violent,

with regard to the king's being abſolved from all rules of government.[b]

This paper, with all the circumſtances of its diſcovery and communication, was pretended to be equivalent to two witneſſes, and to be an unanſwerable proof of thoſe pernicious counſels of Strafford which tended to the ſubverſion of the laws and conſtitution. It was replied, by Strafford and his friends, that old Vane was his moſt inveterate and declared enemy; and, if the ſecretary himſelf, as was by far moſt probable, had willingly delivered to his ſon this paper of notes, to be communicated to Pym, this implied ſuch a breach of oaths and of truſt as rendered him totally unworthy of all credit: that the ſecretary's depoſition was at firſt exceedingly dubious; upon two examinations he could not remember any ſuch words; even the third time his teſtimony was not poſitive, but imported only that Strafford had ſpoken ſuch or ſuch-like words; and words may be very like in ſound, and differ much in ſenſe; nor ought the lives of men to depend upon grammatical criticiſms of any expreſſions, much leſs of thoſe which had been delivered by the ſpeaker without premeditation, and committed by the hearer for any time, however ſhort, to the uncertain record of memory. That, in the preſent caſe, changing 'this kingdom' into 'that kingdom,' (a very ſlight alteration!) the earl's diſcourſe could regard nothing but Scotland, and implies no advice unworthy of an Engliſh counſellor. That, even retaining the expreſſion 'this kingdom,' the words may fairly be underſtood of Scotland, which alone was the kingdom that the debate regarded, and which alone had thrown off allegiance, and could be reduced to obedience. That it could be proved, as well by the evidence of all the king's miniſters as by the known diſpoſition of the forces, that the intention never was to land the Iriſh army in England, but in Scotland. That, of ſix other counſellors preſent, Laud

and Windebank could give no evidence; Northumberland, Hamilton, Cottington, and Juxon, could recollect no ſuch expreſſion; and the advice was too remarkable to be eaſily forgotten. That it was nowiſe probable ſuch a deſperate counſel would be openly delivered at the board, and before Northumberland, a perſon of that high rank, and whoſe attachments to the court were ſo much weaker than his connexions with the country. That, though Northumberland, and he alone, had recollected ſome ſuch expreſſion as that 'of being abſolved from rules of government,' yet, in ſuch deſperate extremities as thoſe into which the king and kingdom were then fallen, a maxim of that nature, allowing it to be delivered by Strafford, may be defended upon principles the moſt favourable to law and liberty. And that nothing could be more iniquitous than to extract an accuſation of treaſon from an opinion ſimply propoſed at the council table, where all freedom of debate ought to be permitted, and where it was not unuſual for the members, in order to draw forth the ſentiments of others, to propoſe counſels very remote from their own ſecret advice and judgment.[c]

BILL OF ATTAINDER.

The evidence of ſecretary Vane, though expoſed to ſuch unſurmountable objections, was the real cauſe of Strafford's unhappy fate; and made the bill of attainder paſs the commons with no greater oppoſition than that of fifty-nine diſſenting votes. But there remained two other branches of the legiſlature, the king and the lords, whoſe aſſent was requiſite; and theſe, if left to their free judgment, it was eaſily foreſeen, would reject the bill without ſcruple or deliberation. To overcome this difficulty the popular leaders employed expedients, for which they were beholden partly to their own induſtry, partly to the indiſcretion of their adverſaries.

Next Sunday after the bill paſſed the commons the puritanical pulpits reſounded with declamations concerning the neceſſity of executing juſtice upon great delinquents.[d] The populace took the alarm. About ſix thouſand men, armed with ſwords and cudgels, flocked from the city, and ſurrounded the houſes of parliament.[e] The names of the fifty-nine commoners who had voted againſt the bill of attainder were poſted up under the title of 'Straffordians, and betrayers of their country.' Theſe were expoſed to all the inſults of the ungovernable multitude. When any of the lords paſſed, the cry for Juſtice againſt Strafford reſounded in their ears: and ſuch as were ſuſpected of friendſhip to that obnoxious miniſter were ſure to meet with menaces, not unaccompanied with ſymptoms of the moſt deſperate reſolutions in the furious populace.[f]

Complaints in the houſe of commons being made againſt theſe violences as the moſt flagrant breach of privilege, the ruling members, by their affected coolneſs and indifference, ſhewed plainly that the popular tumults[g] were not diſagreeable to them. But a new diſcovery, made about this time, ſerved to throw every thing into ſtill greater flame and combuſtion.

Some principal officers, Piercy, Jermyn, O'Neale, Goring, Wilmot, Pollard, Aſhburnham; partly attached to the court, partly diſguſted with the parliament; had formed a plan of engaging into the king's ſervice the Engliſh army, whom they obſerved to be diſpleaſed at ſome marks of preference given by the commons to the Scots. For this purpoſe they entered into an aſſociation, took an oath of ſecreſy, and kept a cloſe correſpondence with ſome of the king's ſervants. The form of a petition to the king and parliament was concerted; and it was intended to get this petition ſubſcribed by the army. The petitioners there repreſent the great and unexampled conceſſions made by the king for the ſecurity of public peace and liberty; the endleſs demands

of certain inſatiable and turbulent ſpirits, whom nothing leſs will content than a total ſubverſion of the ancient conſtitution; the frequent tumults which theſe factious malcontents had excited, and which endangered the liberty of parliament. To prevent theſe miſchiefs, the army offered to come up and guard that aſſembly. 'So ſhall the nation,' as they expreſs themſelves in the concluſion, 'not only be vindicated from preceding innovations, but be ſecured from the future, which are threatened, and which are likely to produce more dangerous effects [h] than the former.' The draught of this petition being conveyed to the king, he was prevailed on, ſomewhat imprudently, to counterſign it himſelf, as a mark of his approbation. But, as ſeveral difficulties occurred, the project was laid aſide two months before any public diſcovery was made of it.

It was Goring who betrayed the ſecret to the popular leaders. The alarm may eaſily be imagined which this intelligence conveyed. Petitions from the military to the civil power are always looked on as diſguiſed, or rather undiſguiſed commands; and are of a nature widely different from petitions preſented by any other rank of men. Pym opened the matter in the houſe.[i] On the firſt intimation of a diſcovery, Piercy concealed himſelf, and Jermyn withdrew beyond ſea. This farther confirmed the ſuſpicion of a dangerous conſpiracy. Goring delivered his evidence before the houſe: Piercy wrote a letter to his brother Northumberland, confeſſing moſt of the particulars.[k] Both their teſtimonies agree with regard to the oath of ſecreſy; and, as this circumſtance had been denied by Pollard, Aſhburnham, and Wilmot, in all their examinations, it was regarded as a new proof of ſome deſperate reſolutions which had been taken.

To convey more quickly the terror and indignation at this plot, the commons voted that a proteſtation ſhould be ſigned by all the members. It was ſent up to the lords, and ſigned by all

of them, except Southampton and Robarts. Orders were given by the commons alone, without other authority, that it ſhould be ſubſcribed by the whole nation. The proteſtation was in itſelf very inoffenſive, even inſignificant; and contained nothing but general declarations that the ſubſcribers would defend their religion and liberties.[l] But it tended to increaſe the popular panic, and intimated, what was more expreſsly declared in the preamble, that theſe bleſſings were now expoſed to the utmoſt peril.

Alarms were every day given of new conſpiracies.[m] In Lancaſhire great multitudes of papiſts were aſſembling; ſecret meetings were held by them in caves and under ground in Surrey; they had entered into a plot to blow up the river with gunpowder, in order to drown the city;[n] proviſions of arms were making beyond ſea; ſometimes France, ſometimes Denmark, was forming deſigns againſt the kingdom; and the populace, who are always terrified with preſent, and enraged with diſtant, dangers, were ſtill farther animated in their demands of juſtice againſt the unfortunate Strafford.

The king came to the houſe of lords; and, though he expreſſed his reſolution, for which he offered them any ſecurity, never again to employ Strafford in any branch of public buſineſs, he profeſſed himſelf totally diſſatisfied with regard to the circumſtance of treaſon, and on that account declared his difficulty in giving his aſſent to the bill of attainder.[o] The commons took fire, and voted it a breach of privilege for the king to take notice of any bill depending before the houſes. Charles did not perceive that his attachment to Strafford was the chief motive for the bill; and that the greater proofs he gave of anxious concern for this miniſter the more inevitable did he render his deſtruction.

About eighty peers had conſtantly attended Strafford's trial; but ſuch apprehenſions were entertained, on account of the po-

pular tumults, that only forty-five were preſent when the bill of attainder was brought into the houſe; yet of theſe nineteen had the courage to vote againſt it.[p] A certain proof that, if entire freedom had been allowed, the bill had been rejected by a great majority.

In carrying up the bill to the lords, St. John, the ſolicitor general, advanced two topics well ſuited to the fury of the times; that, though the teſtimony againſt Strafford was not clear, yet, in this way of bill, private ſatisfaction to each man's conſcience was ſufficient, even ſhould no evidence at all be produced; and that the earl had no title to plead law, becauſe he had broken the law. 'It is true,' added he, 'we give law to hares and deer, for they are beaſts of chaſe; but it was never accounted either cruel or unfair to deſtroy foxes or wolves wherever they can be found, for they are beaſts of prey.'[q]

After popular violence had prevailed over the lords, the ſame battery was next applied to force the king's aſſent. The populace flocked about Whitehall, and accompanied their demand of juſtice with the loudeſt clamours and moſt open menaces. Rumours of conſpiracies againſt the parliament were anew ſpread abroad; invaſions and inſurrections talked of; and the whole nation was raiſed into ſuch a ferment as threatened ſome great and imminent convulſion. On whichever ſide the king caſt his eyes he ſaw no reſource or ſecurity. All his ſervants, conſulting their own ſafety rather than their maſter's honour, declined interpoſing with their advice between him and his parliament. The queen, terrified with the appearance of ſo mighty a danger, and bearing formerly no good will to Strafford, was in tears, and preſſed him to ſatisfy his people in this demand, which it was hoped would finally content them. Juxon alone, whoſe courage was not inferior to his other virtues, ventured to adviſe him, if in his conſcience he did not approve of the bill, by no means to aſſent to it.[r]

Strafford, hearing of Charles's irreſolution and anxiety, took a very extraordinary ſtep: he wrote a letter, in which he entreated the king, for the ſake of public peace, to put an end to his unfortunate, however innocent, life, and to quiet the tumultuous people by granting them the requeſt for which they were ſo importunate.[s] 'In this,' added he, 'my conſent will more acquit you to God than all the world can do beſides. To a willing man there is no injury. And, as, by God's grace, I forgive all the world with a calmneſs and meekneſs, of infinite contentment to my diſlodging ſoul; ſo, ſir, to you I can reſign the life of this world with all imaginable cheerfulneſs, in the juſt acknowledgment of your exceeding favours.' Perhaps Strafford hoped that this unuſual inſtance of generoſity would engage the king ſtill more ſtrenuouſly to protect him; perhaps he gave his life for loſt; and, finding himſelf in the hands of his enemies, and obſerving that Balfour, the lieutenant of the tower, was devoted to the popular party,[t] he abſolutely deſpaired of ever eſcaping the multiplied dangers with which he was every way environed. We might aſcribe this ſtep to a noble effort of diſintereſtedneſs, not unworthy the great mind of Strafford, if the meaſure which he adviſed had not been, in the event, as pernicious to his maſter as it was immediately fatal to himſelf.[u]

After the moſt violent anxiety and doubt, Charles at laſt granted a commiſſion to four noblemen to give the royal aſſent, in his name, to the bill; flattering himſelf, probably, in this extremity of diſtreſs, that, as neither his will conſented to the deed, nor was his hand immediately engaged in it, he was the more free from all the guilt which attended it. Theſe commiſſioners he empowered, at the ſame time, to give his aſſent to the bill which rendered the parliament perpetual.

The commons, from policy rather than neceſſity, had embraced the expedient of paying the two armies by borrowing

money from the city; and theſe loans they had repaid afterwards by taxes levied upon the people. The citizens, either of themſelves or by ſuggeſtion, began to ſtart difficulties with regard to a farther loan which was demanded. 'We make no ſcruple of truſting the parliament,' ſaid they, 'were we certain that the parliament were to continue till our repayment. But, in the preſent precarious ſituation of affairs, what ſecurity can be given us for our money?' In pretence of obviating this objection, a bill was ſuddenly brought into the houſe, and paſſed with great unanimity and rapidity, that the parliament ſhould not be diſſolved, prorogued, or adjourned, without their own conſent. It was hurried in like manner through the houſe of peers, and was inſtantly carried to the king for his aſſent. Charles, in the agony of grief, ſhame, and remorſe, for Strafford's doom, perceived not that this other bill was of ſtill more fatal conſequence to his authority, and rendered the power of his enemies perpetual, as it was already uncontrollable.[x] In compariſon of the bill of attainder, by which he deemed himſelf an accomplice in his friend's murder,[y] this conceſſion made no figure in his eyes: a circumſtance which, if it leſſen our idea of his reſolution or penetration, ſerves to prove the integrity of his heart and the goodneſs of his diſpoſition. It is indeed certain that ſtrong compunction for his conſent to Strafford's execution attended this unfortunate prince during the remainder of his life; and even at his own fatal end the memory of this guilt, with great ſorrow and remorſe, recurred upon him. All men were ſo ſenſible of the extreme violence which was done him, that he ſuffered the leſs both in character and intereſt from this unhappy meaſure; and, though he abandoned his beſt friend, yet was he ſtill able to preſerve, in ſome degree, the attachment of all his adherents.

Secretary Carleton was ſent by the king to inform Strafford of the final reſolution which neceſſity had extorted from him. The

earl ſeemed ſurpriſed, and, ſtarting up, exclaimed, in the words of Scripture, 'Put not your truſt in princes, nor in the ſons of men:[z] for in them there is no ſalvation.' He was ſoon able, however, to collect his courage; and he prepared himſelf to ſuffer the fatal ſentence. Only three days' interval was allowed him. The king, who made a new effort in his behalf, and ſent, by the hands of the young prince, a letter addreſſed to the peers, in which he entreated them to confer with the commons about a mitigation of Strafford's ſentence, and begged at leaſt for ſome delay, was refuſed in both requeſts.[a]

EXECUTION OF STRAFFORD.

STRAFFORD, in paſſing from his apartment to Tower-hill, where the ſcaffold was erected, ſtopped under Laud's windows, with whom he had long lived in intimate friendſhip; and entreated the aſſiſtance of his prayers in thoſe awful moments which were approaching: the aged primate diſſolved in tears; and, having pronounced, with a broken voice, a tender bleſſing on his departing friend, ſunk into the arms of his attendants.[b] Strafford, ſtill ſuperior to his fate, moved on with an elated countenance, and with an air even of greater dignity than what uſually attended him. He wanted that conſolation which commonly ſupports thoſe who periſh by the ſtroke of injuſtice and oppreſſion; he was not buoyed up by glory, nor by the affectionate compaſſion of the ſpectators; yet his mind, erect and undaunted, found reſources within itſelf, and maintained its unbroken reſolution, amidſt the terrors of death, and the triumphant exultations of his miſguided enemies. His diſcourſe on the ſcaffold was full of decency and courage. He feared, he ſaid, that the omen was bad, for the intended reformation of the ſtate, that it commenced with the ſhedding of innocent blood. Having bid a

laſt adieu to his brother and friends who attended him, and having ſent a bleſſing to his nearer relations who were abſent; 'And now,' ſaid he, 'I have nigh done! One ſtroke will make my wife a widow, my dear children fatherleſs, deprive my poor ſervants of their indulgent maſter, and ſeparate me from my affectionate brother and all my friends! But let God be to you and them all in all!' Going to diſrobe, and prepare himſelf for the block, 'I thank God,' ſaid he, 'that I am nowiſe afraid of death, nor am daunted with any terrors; but do as cheerfully lay down my head at this time as ever I did when going to repoſe!' With one blow was a period put to his life by the executioner.[c]

Thus periſhed, in the forty-ninth year of his age, the earl of Strafford, one of the moſt eminent perſonages that has appeared in England. Though his death was loudly demanded as a ſatisfaction to juſtice, and an atonement for the many violations of the conſtitution, it may ſafely be affirmed that the ſentence by which he fell was an enormity greater than the worſt of thoſe which his implacable enemies proſecuted with ſo much cruel induſtry. The people, in their rage, had totally miſtaken the proper object of their reſentment. All the neceſſities, or, more properly ſpeaking, the difficulties by which the king had been induced to uſe violent expedients for raiſing ſupply, were the reſult of meaſures previous to Strafford's favour; and, if they aroſe from ill conduct, he at leaſt was entirely innocent. Even thoſe violent expedients themſelves, which occaſioned the complaint that the conſtitution was ſubverted, had been all of them conducted, ſo far as appeared, without his counſel or aſſiſtance. And, whatever his private advice might be,[d] this ſalutary maxim he failed not, often and publicly, to inculcate in the king's preſence, that, if any inevitable neceſſity ever obliged the ſovereign to violate the laws, this licenſe ought to be practiſed with extreme reſerve, and, as ſoon as poſſible, a juſt atonement be made

to the conſtitution for any injury which it might ſuſtain from ſuch dangerous precedents.[e] The firſt parliament after the reſtoration reverſed the bill of attainder; and, even a few weeks after Strafford's execution, this very parliament remitted to his children the more ſevere conſequences of his ſentence, as if conſcious of the violence with which the proſecution had been conducted.

In vain did Charles expect, as a return for ſo many inſtances of unbounded compliance, that the parliament would at laſt ſhew him ſome indulgence, and would cordially fall into that unanimity to which, at the expenſe of his own power and of his friend's life, he ſo earneſtly courted them. All his conceſſions were poiſoned by their ſuſpicion of his want of cordiality; and the ſuppoſed attempt to engage the army againſt them ſerved with many as a confirmation of this jealouſy. It was natural for the king to ſeek ſome reſource, while all the world ſeemed to deſert him, or combine againſt him; and this probably was the utmoſt of that embryo ſcheme which was formed with regard to the army. But the popular leaders ſtill inſiſted that a deſperate plot was laid to bring up the forces immediately, and offer violence to the parliament: a deſign of which Piercy's evidence acquits the king, and which the near neighbourhood of the Scottiſh army ſeems to render abſolutely impracticable.[f] By means, however, of theſe ſuſpicions, was the ſame implacable ſpirit ſtill kept alive; and the commons, without giving the king any ſatisfaction in the ſettlement of his revenue, proceeded to carry their inroads with great vigour into his now defenceleſs prerogative.[g]

HIGH COMMISSION AND STAR CHAMBER ABOLISHED.

The two ruling paſſions of this parliament were zeal for liberty and an averſion to the church; and to both of theſe nothing

could appear more exceptionable than the court of high commiſſion, whoſe inſtitution rendered it entirely arbitrary, and aſſigned to it the defence of the eccleſiaſtical eſtabliſhment. The ſtar chamber alſo was a court which exerted high diſcretionary powers; and had no preciſe rule or limit, either with regard to the cauſes which came under its juriſdiction, or the deciſions which it formed. A bill unanimouſly paſſed the houſes to aboliſh theſe two courts; and in them to annihilate the principal and moſt dangerous articles of the king's prerogative. By the ſame bill the juriſdiction of the council was regulated, and its authority abridged.[h] Charles heſitated before he gave his aſſent: but, finding that he had gone too far to retreat, and that he poſſeſſed no reſource in caſe of a rupture, he at laſt affixed the royal ſanction to this excellent bill. But, to ſhew the parliament that he was ſufficiently appriſed of the importance of his grant, he obſerved to them that this ſtatute altered in a great meaſure the fundamental laws, eccleſiaſtical and civil, which many of his predeceſſors had eſtabliſhed.[i]

By removing the ſtar chamber the king's power of binding the people by his proclamations was indirectly aboliſhed; and that important branch of prerogative, the ſtrong ſymbol of arbitrary power, and unintelligible in a limited conſtitution, being at laſt removed, left the ſyſtem of government more conſiſtent and uniform. The ſtar chamber alone was accuſtomed to puniſh infractions of the king's edicts: but, as no courts of judicature now remained, except thoſe in Weſtminſter-hall, which take cognizance only of common and ſtatute law, the king may thenceforth iſſue proclamations, but no man is bound to obey them. It muſt, however, be confeſſed that the experiment here made by the parliament was not a little raſh and adventurous. No government at that time appeared in the world, nor is perhaps to be found in the records of any hiſtory, which ſubſiſted without

the mixture of ſome arbitrary authority, committed to ſome magiſtrate; and it might reaſonably, before-hand, appear doubtful whether human ſociety could ever reach that ſtate of perfection, as to ſupport itſelf with no other control than the general and rigid maxims of law and equity. But the parliament juſtly thought that the king was too eminent a magiſtrate to be truſted with diſcretionary power, which he might ſo eaſily turn to the deſtruction of liberty. And, in the event, it has hitherto been found that, though ſome ſenſible inconveniences ariſe from the maxim of adhering ſtrictly to law, yet the advantages overbalance them, and ſhould render the Engliſh grateful to the memory of their anceſtors, who, after repeated conteſts, at laſt eſtabliſhed that noble though dangerous principle.

At the requeſt of the parliament Charles, inſtead of the patents during pleaſure, gave all the judges patents during their good behaviour:[k] a circumſtance of the greateſt moment towards ſecuring their independency, and barring the entrance of arbitrary power into the ordinary courts of judicature.

The marſhal's court, which took cognizance of offenſive words, and was not thought ſufficiently limited by law, was alſo, for that reaſon, aboliſhed.[l] The ſtannary courts, which exerciſed juriſdiction over the miners, being liable to a like objection, underwent a like fate. The abolition of the council of the north and the council of Wales followed from the ſame principles. The authority of the clerk of the market, who had a general inſpection over the weights and meaſures throughout the kingdom, was transferred to the mayors, ſheriffs, and ordinary magiſtrates.

In ſhort, if we take a ſurvey of the tranſactions of this memorable parliament during the firſt period of its operations, we ſhall find that, excepting Strafford's attainder, which was a complication of cruel iniquity, their merits in other reſpects ſo much outweigh their miſtakes, as to entitle them to praiſe from all lovers

of liberty. Not only were former abuſes remedied, and grievances redreſſed; great proviſion, for the future, was made by law againſt the return of like complaints. And, if the means by which they obtained ſuch advantages favour often of artifice, ſometimes of violence, it is to be conſidered that revolutions of government cannot be effected by the mere force of argument and reaſoning; and that, factions being once excited, men can neither ſo firmly regulate the tempers of others, nor their own, as to enſure themſelves againſt all exorbitances.

KING'S JOURNEY TO SCOTLAND.

The parliament now came to a pauſe. The king had promiſed his Scottiſh ſubjects that he would this ſummer pay them a viſit, in order to ſettle their government; and, though the Engliſh parliament was very importunate with him that he ſhould lay aſide that journey, they could not prevail with him ſo much as to delay it. As he muſt neceſſarily in his journey have paſſed through the troops of both nations, the commons ſeem to have entertained great jealouſy on that account, and to have now hurried on, as much as they formerly delayed, the diſbanding of the armies. The arrears therefore of the Scots were fully paid them, and thoſe of the Engliſh in part. The Scots returned home, and the Engliſh were ſeparated into their ſeveral counties, and diſmiſſed.

After this the parliament adjourned to the twentieth of October; and a committee of both houſes, a thing unprecedented, was appointed to ſit during the receſs,[m] with very ample powers. Pym was elected chairman of the committee of the lower houſe. Farther attempts were made by the parliament while it ſat, and even by the commons alone, for aſſuming ſovereign executive powers, and publiſhing their ordinances, as they called them,

inſtead of laws. The committee too, on their part, was ready to imitate the example.

A ſmall committee of both houſes was appointed to attend the king into Scotland; in order, as was pretended, to ſee that the articles of pacification were executed; but really to be ſpies upon him, and extend ſtill farther the ideas of parliamentary authority, as well as eclipſe the majeſty of the king. The earl of Bedford, lord Howard, ſir Philip Stapleton, ſir William Armyne, Fiennes, and Hambden, were the perſons choſen.[n]

Endeavours were uſed, before Charles's departure, to have a protector of the kingdom appointed, with a power to paſs laws without having recourſe to the king. So little regard was now paid to royal authority, or to the eſtabliſhed conſtitution of the kingdom.

Amidſt the great variety of affairs which occurred during this buſy period, we have almoſt overlooked the marriage of the princeſs Mary with William prince of Orange. The king concluded not this alliance without communicating his intentions to the parliament,[o] who received the propoſal with ſatisfaction. This was the commencement of the connexions with the family of Orange; connexions which were afterwards attended with the moſt important conſequences, both to the kingdom and to the houſe of Stuart.

CHAPTER LV.

CHARLES I.

SETTLEMENT OF SCOTLAND....CONSPIRACY IN IRELAND....INSURRECTION AND MASSACRE....MEETING OF THE ENGLISH PARLIAMENT....THE REMONSTRANCE....REASONS ON BOTH SIDES....IMPEACHMENT OF THE BISHOPS....ACCUSATION OF THE FIVE MEMBERS....TUMULTS....KING LEAVES LONDON....ARRIVES IN YORK....PREPARATIONS FOR CIVIL WAR.

THE Scots, who began theſe fatal commotions, thought that they had finiſhed a very perilous undertaking much to their profit and reputation. Beſides the large pay voted them for lying in good quarters during a twelvemonth, the Engliſh parliament had conferred on them a preſent of three hundred thouſand pounds for their brotherly aſſiſtance.[p] In the articles of pacification they were declared to have ever been good ſubjects; and their military expeditions were approved of, as enterpriſes calculated and intended for his majeſty's honour and advantage. To carry farther the triumph over their ſovereign, theſe terms, ſo ignominious to him, were ordered, by a vote of parliament, to be read in all churches, upon a day of thankſgiving, appointed for the national pacification.[q] All their claims for the reſtriction of prerogative were agreed to be ratified: and, what they more

valued than all theſe advantages, they had a near proſpect of ſpreading the preſbyterian diſcipline in England and Ireland, from the ſeeds which they had ſcattered of their religious principles. Never did refined Athens ſo exult in diffuſing the ſciences and liberal arts over a ſavage world; never did generous Rome ſo pleaſe herſelf in the view of law and order eſtabliſhed by her victorious arms; as the Scots now rejoiced in communicating their barbarous zeal and theological fervour to the neighbouring nations.

SETTLEMENT OF SCOTLAND. 1641.

CHARLES, deſpoiled in England of a conſiderable part of his authority, and dreading ſtill farther encroachments upon him, arrived in Scotland with an intention of abdicating almoſt entirely the ſmall ſhare of power which there remained to him, and of giving full ſatisfaction, if poſſible, to his reſtleſs ſubjects in that kingdom.

The lords of articles were an ancient inſtitution in the Scottiſh parliament. They were conſtituted after this manner: the temporal lords choſe eight biſhops; the biſhops elected eight temporal lords; theſe ſixteen named eight commiſſioners of counties, and eight burgeſſes; and without the previous conſent of the thirty-two, who were denominated lords of articles, no motion could be made in parliament. As the biſhops were entirely devoted to the court, it is evident that all the lords of articles, by neceſſary conſequence, depended on the king's nomination; and the prince, beſides one negative after the bills had paſſed through parliament, poſſeſſed indirectly another before their introduction; a prerogative of much greater conſequence than the former. The bench of biſhops being now aboliſhed, the parliament laid hold of the opportunity, and totally ſet aſide the lords of arti-

cles: and till this important point was obtained the nation, properly ſpeaking, could not be ſaid to enjoy any regular freedom.[r]

It is remarkable that, notwithſtanding this inſtitution, to which there was no parallel in England, the royal authority was always deemed much lower in Scotland than in the former kingdom. Bacon repreſents it as one advantage to be expected from the union, that the too extenſive prerogative of England would be abridged by the example of Scotland, and the too narrow prerogative of Scotland be enlarged from the imitation of England. The Engliſh were at that time a civilized people, and obedient to the laws: but among the Scots it was of little conſequence how the laws were framed, or by whom voted, while the exorbitant ariſtocracy had it ſo much in their power to prevent their regular execution.

The peers and commons formed only one houſe in the Scottiſh parliament: and, as it had been the practice of James, continued by Charles, to grace Engliſh gentlemen with Scottiſh titles, all the determinations of parliament, it was to be feared, would in time depend upon the prince, by means of theſe votes of foreigners, who had no intereſt or property in the nation. It was therefore a law deſerving approbation, that no man ſhould be created a Scotch peer who poſſeſſed not ten thouſand marks (above five hundred pounds) of annual rent in the kingdom.[s]

A law for triennial parliaments was likewiſe paſſed; and it was ordained that the laſt act of every parliament ſhould be to appoint the time and place for holding the parliament next enſuing.[t]

The king was deprived of that power, formerly exerciſed, of iſſuing proclamations which enjoined obedience under the penalty of treaſon; a prerogative which inveſted him with the whole legiſlative authority, even in matters of the higheſt importance.[u]

So far was laudable: but the moſt fatal blow given to royal authority, and what in a manner dethroned the prince, was the article that no member of the privy council, in whoſe hands, during the king's abſence, the whole adminiſtration lay, no officer of ſtate, none of the judges, ſhould be appointed but by advice and approbation of parliament. Charles even agreed to deprive of their ſeats four judges who had adhered to his intereſts; and their place was ſupplied by others more agreeable to the ruling party. Several of the covenanters were alſo ſworn of the privy council. And all the miniſters of ſtate, counſellors, and judges, were by law to hold their places during life or good behaviour.[x]

The king, while in Scotland, conformed himſelf entirely to the eſtabliſhed church; and aſſiſted, with great gravity, at the long prayers and longer ſermons with which the preſbyterians endeavoured to regale him. He beſtowed penſions and preferments on Henderſon, Gilleſpy, and other popular preachers; and practiſed every art to ſoften, if not to gain, his greateſt enemies. The earl of Argyle was created a marquis, lord Loudon an earl, Leſley was dignified with the title of earl of Leven.[z] His friends he was obliged for the preſent to neglect and overlook; ſome of them were diſguſted; and his enemies were not reconciled; but aſcribed all his careſſes and favours to artifice and neceſſity.

Argyle and Hamilton, being ſeized with an apprehenſion, real or pretended, that the earl of Crawfurd and others meant to aſſaſſinate them, left the parliament ſuddenly, and retired into the country; but, upon invitation and aſſurances, returned in a few days. This event, which had neither cauſe nor effect that was viſible, nor purpoſe, nor conſequence, was commonly denominated the incident. But, though the incident had no effect in Scotland, (what was not expected) it was attended with con-

ſequences in England. The Engliſh parliament, which was now aſſembled, being willing to awaken the people's tenderneſs by exciting their fears, immediately took the alarm; as if the malignants (ſo they called the king's party) had laid a plot at once to murder them and all the godly in both kingdoms. They applied, therefore, to Eſſex, whom the king had left general in the ſouth of England; and he ordered a guard to attend them.[a]

But, while the king was employed in pacifying the commotions in Scotland, and was preparing to return to England, in order to apply himſelf to the ſame ſalutary work in that kingdom, he received intelligence of a dangerous rebellion broken out in Ireland, with circumſtances of the utmoſt horror, bloodſhed, and devaſtation. On every ſide this unfortunate prince was purſued with murmurs, diſcontent, faction, and civil wars; and the fire from all quarters, even by the moſt independent accidents, at once blazed up about him.

The great plan of James, in the adminiſtration of Ireland, continued by Charles, was by juſtice and peace to reconcile that turbulent people to the authority of laws; and, introducing art and induſtry among them, to cure them of that ſloth and barbariſm to which they had ever been ſubject. In order to ſerve both theſe purpoſes, and at the ſame time ſecure the dominion of Ireland to the Engliſh crown, great colonies of Britiſh had been carried over, and, being intermixed with the Iriſh, had every where introduced a new face of things into that country. During a peace of near forty years the inveterate quarrels between the nations ſeemed, in a great meaſure, to be obliterated; and, though much of the landed property forfeited by rebellion had been conferred on the new planters, a more than equal return had been made by their inſtructing the natives in tillage, building, manufactures, and all the civilized arts of life.[b] This had been the courſe of things during the ſucceſſive adminiſtra-

tions of Chicheſter, Grandiſon, Falkland, and, above all, of Strafford. Under the government of this latter nobleman the pacific plans, now come to greater maturity, and forwarded by his vigour and induſtry, ſeemed to have operated with full ſucceſs, and to have beſtowed, at laſt, on that ſavage country the face of a European ſettlement.

After Strafford fell a victim to popular rage, the humours excited in Ireland by that great event could not ſuddenly be compoſed, but continued to produce the greateſt innovations in the government.

The Britiſh proteſtants, tranſplanted into Ireland, having every moment before their eyes all the horrors of popery, had naturally been carried into the oppoſite extreme, and had univerſally adopted the higheſt principles and practices of the puritans. Monarchy, as well as the hierarchy, was become odious to them; and every method of limiting the authority of the crown, and detaching themſelves from the king of England, was greedily adopted and purſued. They conſidered not that, as they ſcarcely formed the ſixth part of the people, and were ſecretly obnoxious to the ancient inhabitants, their only method of ſupporting themſelves was by maintaining royal authority, and preſerving a great dependance on their mother country. The Engliſh commons, likewiſe, in their furious proſecution of Strafford, had overlooked the moſt obvious conſequences; and, while they imputed to him as a crime every diſcretionary act of authority, they deſpoiled all ſucceeding governors of that power by which alone the Iriſh could be retained in ſubjection. And ſo ſtrong was the current for popular government, in all the three kingdoms, that the moſt eſtabliſhed maxims of policy were every where abandoned, in order to gratify this ruling paſſion.

Charles, unable to reſiſt, had been obliged to yield to the Iriſh, as to the Scottiſh and Engliſh parliaments; and found too

that their encroachments ſtill roſe in proportion to his conceſſions. Thoſe ſubſidies, which themſelves had voted, they reduced, by a ſubſequent vote, to a fourth part; the court of high commiſſion was determined to be a grievance; martial law aboliſhed; the juriſdiction of the council annihilated; proclamations and acts of ſtate declared of no authority; every order or inſtitution, which depended on monarchy, was invaded; and the prince was deſpoiled of all his prerogative, without the leaſt pretext of any violence or illegality in his adminiſtration.

The ſtanding army of Ireland was uſually about three thouſand men; but, in order to aſſiſt the king in ſuppreſſing the Scottiſh covenanters, Strafford had raiſed eight thouſand more, and had incorporated with them a thouſand men drawn from the old army; a neceſſary expedient for beſtowing order and diſcipline on the new-levied ſoldiers. The private men in this army were all catholics; but the officers, both commiſſion and non-commiſſion, were proteſtants, and could entirely be depended on by Charles. The Engliſh commons entertained the greateſt apprehenſions on account of this army; and never ceaſed ſoliciting the king, till he agreed to break it: nor would they conſent to any propoſal for augmenting the ſtanding army to five thouſand men; a number which the king deemed neceſſary for retaining Ireland in obedience.

Charles, thinking it dangerous that eight thouſand men, accuſtomed to idleneſs and trained to the uſe of arms, ſhould be diſperſed among a nation ſo turbulent and unſettled, agreed with the Spaniſh ambaſſador to have them tranſported into Flanders, and enliſted in his maſter's ſervice. The Engliſh commons, pretending apprehenſions left regular bodies of troops, diſciplined in the Low Countries, ſhould prove ſtill more dangerous, ſhewed ſome averſion to this expedient; and the king reduced his allowance to four thouſand men. But, when the Spaniards had hired

ſhips for tranſporting theſe troops, and the men were ready to embark, the commons, willing to ſhew their power, and not diſpleaſed with an opportunity of curbing and affronting the king, prohibited every one from furniſhing veſſels for that ſervice. And thus the project, formed by Charles, of freeing the country from theſe men was unfortunately diſappointed.[c]

The old Iriſh remarked all theſe falſe ſteps of the Engliſh, and reſolved to take advantage of them. Though their animoſity againſt that nation, for want of an occaſion to exert itſelf, ſeemed to be extinguiſhed, it was only compoſed into a temporary and deceitful tranquillity.[a] Their intereſts, both with regard to property and religion, ſecretly ſtimulated them to a revolt. No individual of any ſept, according to the ancient cuſtoms, had the property of any particular eſtate; but, as the whole ſept had a title to a whole territory, they ignorantly preferred this barbarous community before the more ſecure and narrower poſſeſſions aſſigned them by the Engliſh. An indulgence, amounting almoſt to a toleration, had been given to the catholic religion: but ſo long as the churches and the eccleſiaſtical revenues were kept from the prieſts, and they were obliged to endure the neighbourhood of profane heretics, being themſelves diſcontented, they continually endeavoured to retard any cordial reconciliation between the Engliſh and the Iriſh nations.

CONSPIRACY IN IRELAND.

THERE was a gentleman called Roger More, who, though of a narrow fortune, was deſcended from an ancient Iriſh family, and was much celebrated among his countrymen for valour and capacity. This man firſt formed the project of expelling the Engliſh, and aſſerting the independency of his native country.[e] He ſecretly went from chieftain to chieftain, and roufed up every

latent principle of diſcontent. He maintained a cloſe correſpondence with lord Maguire and ſir Phelim O'Neale, the moſt powerful of the old Iriſh. By converſation, by letters, by his emiſſaries, he repreſented to his countrymen the motives of a revolt. He obſerved to them that, by the rebellion of the Scots and factions of the Engliſh, the king's authority in Britain was reduced to ſo low a condition, that he never could exert himſelf with any vigour in maintaining the Engliſh dominion over Ireland; that the catholics, in the Iriſh houſe of commons, aſſiſted by the proteſtants, had ſo diminiſhed the royal prerogative and the power of the lieutenant, as would much facilitate the conducting to its deſired effect any conſpiracy or combination which could be formed; that the Scots, having ſo ſucceſsfully thrown off dependance on the crown of England, and aſſumed the government into their own hands, had ſet an example to the Iriſh, who had ſo much greater oppreſſions to complain of; that the Engliſh planters, who had expelled them their poſſeſſions, ſuppreſſed their religion, and bereaved them of their liberties, were but a handful in compariſon of the natives; that they lived in the moſt ſupine ſecurity, interſperſed with their numerous enemies, truſting to the protection of a ſmall army, which was itſelf ſcattered in inconſiderable diviſions throughout the whole kingdom; that a great body of men, diſciplined by the government, were now thrown looſe, and were ready for any daring or deſperate enterpriſe; that, though the catholics had hitherto enjoyed, in ſome tolerable meaſure, the exerciſe of their religion, from the moderation of their indulgent prince, they muſt henceforth expect that the government will be conducted by other maxims and other principles; that the puritanical parliament, having at length ſubdued their ſovereign, would, no doubt, as ſoon as they had conſolidated their authority, extend their ambitious enterpriſes to Ireland, and make the catholics in that

kingdom feel the ſame furious perſecution to which their brethren in England were at preſent expoſed; and that a revolt in the Iriſh, tending only to vindicate their native liberty againſt the violence of foreign invaders, could never, at any time, be deemed rebellion; much leſs during the preſent confuſions, when their prince was in a manner a priſoner, and obedience muſt be paid, not to him, but to thoſe who had traitorouſly uſurped his lawful authority.[f]

By theſe conſiderations More engaged all the heads of the native Iriſh into the conſpiracy. The Engliſh of the pale, as they were called, or the old Engliſh planters, being all catholics, it was hoped would afterwards join the party, which reſtored their religion to its ancient ſplendour and authority. The intention was that ſir Phelim O'Neale and the other conſpirators ſhould begin an inſurrection on one day throughout the provinces, and ſhould attack all the Engliſh ſettlements; and that on the ſame day lord Maguire and Roger More ſhould ſurpriſe the caſtle of Dublin. The commencement of the revolt was fixed on the approach of winter, that there might be more difficulty in tranſporting forces from England. Succours to themſelves and ſupplies of arms they expected from France, in conſequence of a promiſe made them by cardinal Richelieu. And many Iriſh officers, who ſerved in the Spaniſh troops, had engaged to join them as ſoon as they ſaw an inſurrection entered upon by their catholic brethren. News, which every day arrived from England, of the fury expreſſed by the commons againſt all papiſts, ſtruck freſh terror into the Iriſh nation, and both ſtimulated the conſpirators to execute their fatal purpoſe, and gave them aſſured hopes of the concurrence of all their countrymen.[g]

Such propenſity to a revolt was diſcovered in all the Iriſh, that it was deemed unneceſſary, as it was dangerous, to entruſt the ſecret to many hands; and the appointed day drew nigh,

nor had any diſcovery been yet made to the government. The king, indeed, had received information from his ambaſſadors that ſomething was in agitation among the Iriſh in foreign parts; but, though he gave warning to the adminiſtration in Ireland, the intelligence was entirely neglected.[h] Secret rumours likewiſe were heard of ſome approaching conſpiracy; but no attention was paid to them. The earl of Leiceſter, whom the king had appointed lieutenant, remained in London. The two juſtices, ſir William Parſons and ſir John Borlace, were men of ſmall abilities; and, by an inconvenience common to all factious times, owed their advancement to nothing but their zeal for the party by whom every thing was now governed. Tranquil from their ignorance and inexperience, theſe men indulged themſelves in the moſt profound repoſe on the very brink of deſtruction.

But they were awakened from their ſecurity on the very day before that which was appointed for the commencement of hoſtilities. The caſtle of Dublin, by which the capital was commanded, contained arms for ten thouſand men, with thirty-five pieces of cannon, and a proportionable quantity of ammunition: yet was this important place guarded, and that too without any care, by no greater force than fifty men. Maguire and More were already in town with a numerous band of their partiſans; others were expected that night; and next morning they were to enter upon, what they eſteemed the eaſieſt of all enterpriſes, the ſurpriſal of the caſtle. O'Conolly, an Iriſhman, but a proteſtant, betrayed the conſpiracy to Parſons.[i] The juſtices and council fled immediately for ſafety into the caſtle, and reinforced the guards. The alarm was conveyed to the city, and all the proteſtants prepared for defence. More eſcaped; Maguire was taken; and Mahone, one of the conſpirators, being likewiſe ſeized, firſt diſcovered to the juſtices the project of a general inſurrec-

tion, and redoubled the apprehenſions which already were univerſally diffuſed throughout Dublin.[k]

IRISH INSURRECTION AND MASSACRE.

But, though O'Conolly's diſcovery ſaved the caſtle from a ſurpriſe, the confeſſion extorted from Mahone came too late to prevent the intended inſurrection. O'Neale and his confederates had already taken arms in Ulſter. The Iriſh, every where intermingled with the Engliſh, needed but a hint from their leaders and prieſts to begin hoſtilities againſt a people whom they hated on account of their religion, and envied for their riches and proſperity.[l] The houſes, cattle, goods, of the unwary Engliſh were firſt ſeized. Thoſe who heard of the commotions in their neighbourhood, inſtead of deſerting their habitations, and aſſembling for mutual protection, remained at home, in hopes of defending their property, and fell thus ſeparately into the hands of their enemies.[m] After rapacity had fully exerted itſelf, cruelty, and the moſt barbarous that ever, in any nation, was known or heard of, began its operations. An univerſal maſſacre commenced of the Engliſh, now defenceleſs, and paſſively reſigned to their inhuman foes. No age, no ſex, no condition was ſpared. The wife weeping for her butchered huſband, and embracing her helpleſs children, was pierced with them, and periſhed by the ſame ſtroke.[n] The old, the young, the vigorous, the infirm, underwent a like fate, and were confounded in one common ruin. In vain did flight ſave from the firſt aſſault; deſtruction was every where let looſe, and met the hunted victims at every turn. In vain was recourſe had to relations, to companions, to friends; all connexions were diſſolved, and death was dealt by that hand from which protection was implored and expected. Without provocation, without oppoſition, the aſtoniſhed Engliſh,

living in profound peace and full ſecurity, were maſſacred by their neareſt neighbours, with whom they had long upheld a continued intercourſe of kindneſs and good offices.[o]

But death was the ſlighteſt puniſhment inflicted by thoſe rebels: all the tortures which wanton cruelty could deviſe, all the lingering pains of body, the anguiſh of mind, the agonies of deſpair, could not ſatiate revenge excited without injury, and cruelty derived from no cauſe. To enter into particulars would ſhock the leaſt delicate humanity. Such enormities, though atteſted by undoubted evidence, appear almoſt incredible. Depraved nature, even perverted religion, encouraged by the utmoſt licenſe, reach not to ſuch a pitch of ferocity; unleſs the pity inherent in human breaſts be deſtroyed by that contagion of example which tranſports men beyond all the uſual motives of conduct and behaviour.

The weaker ſex themſelves, naturally tender to their own ſufferings, and compaſſionate to thoſe of others, here emulated their more robuſt companions,[p] in the practice of every cruelty. Even children, taught by the example, and encouraged by the exhortation, of their parents, eſſayed their feeble blows on the dead carcaſſes or defenceleſs children of the Engliſh.[q] The very avarice of the Iriſh was not a ſufficient reſtraint of their cruelty. Such was their frenzy, that the cattle which they had ſeized, and by rapine made their own, yet, becauſe they bore the name of Engliſh, were wantonly ſlaughtered, or, when covered with wounds, turned looſe into the woods and deſerts.[r]

The ſtately buildings or commodious habitations of the planters, as if upbraiding the ſloth and ignorance of the natives, were conſumed with fire, or laid level with the ground. And where the miſerable owners, ſhut up in their houſes, and preparing for defence, periſhed in the flames, together with their wives and children, a double triumph was afforded to their inſulting foes.[s]

If any where a number aſſembled together, and, aſſuming courage from deſpair, were reſolved to ſweeten death by revenge on their aſſaſſins, they were diſarmed by capitulations, and promiſes of ſafety, confirmed by the moſt ſolemn oaths. But no ſooner had they ſurrendered than the rebels, with perfidy equal to their cruelty, made them ſhare the fate of their unhappy countrymen.[t]

Others, more ingenious ſtill in their barbarity, tempted their priſoners, by the fond love of life, to embrue their hands in the blood of friends, brothers, parents; and, having thus rendered them accomplices in guilt, gave them that death which they ſought to ſhun by deſerving it.[u]

Amidſt all theſe enormities the ſacred name of Religion reſounded on every ſide; not to ſtop the hands of theſe murderers, but to enforce their blows, and to ſteel their hearts againſt every movement of human or ſocial ſympathy. The Engliſh, as heretics, abhorred of God, and deteſtable to all holy men, were marked out by the prieſts for ſlaughter; and, of all actions, to rid the world of theſe declared enemies to catholic faith and piety was repreſented as the moſt meritorious.[w] Nature, which in that rude people was ſufficiently inclined to atrocious deeds, was farther ſtimulated by precept; and national prejudices empoiſoned by thoſe averſions, more deadly and incurable, which aroſe from an enraged ſuperſtition. While death finiſhed the ſufferings of each victim the bigoted aſſaſſins, with joy and exultation, ſtill echoed in his expiring ears that theſe agonies were but the commencement of torments infinite and eternal.[x]

Such were the barbarities by which ſir Phelim O'Neale and the Iriſh in Ulſter ſignalized their rebellion: an event, memorable in the annals of human kind, and worthy to be held in perpetual deteſtation and abhorrence. The generous nature of More was ſhocked at the recital of ſuch enormous cruelties. He flew

to O'Neale's camp; but found that his authority, which was ſufficient to excite the Iriſh to an inſurrection, was too feeble to reſtrain their inhumanity. Soon after he abandoned a cauſe polluted by ſo many crimes, and retired into Flanders. Sir Phelim, recommended by the greatneſs of his family, and perhaps too by the unreſtrained brutality of his nature, though without any courage or capacity, acquired the entire aſcendant over the northern rebels.[y] The Engliſh colonies were totally annihilated in the open country of Ulſter. The Scots, at firſt, met with more favourable treatment. In order to engage them to a paſſive neutrality, the Iriſh pretended to diſtinguiſh between the Britiſh nations; and, claiming friendſhip and conſanguinity with the Scots, extended not over them the fury of their maſſacres. Many of them found an opportunity to fly the country; others retired into places of ſecurity, and prepared themſelves for defence; and by this means the Scottiſh planters, moſt of them at leaſt, eſcaped with their lives.[z]

From Ulſter the flames of rebellion diffuſed themſelves in an inſtant over the other three provinces of Ireland. In all places death and ſlaughter were not uncommon; though the Iriſh, in theſe other provinces, pretended to act with moderation and humanity. But cruel and barbarous was their humanity! Not content with expelling the Engliſh their houſes, with deſpoiling them of their goodly manors, with waſting their cultivated fields; they ſtripped them of their very clothes, and turned them out, naked and defenceleſs, to all the ſeverities of the ſeaſon.[a] The heavens themſelves, as if conſpiring againſt that unhappy people, were armed with cold and tempeſt unuſual to the climate, and executed what the mercileſs ſword had left unfiniſhed.[b] The roads were covered with crowds of naked Engliſh, haſtening towards Dublin and the other cities, which yet remained in the hands of their countrymen. The feeble age of children, the

tender ſex of women, ſoon ſunk under the multiplied rigours of cold and hunger. Here the huſband, bidding a final adieu to his expiring family, envied them that fate which he himſelf expected ſo ſoon to ſhare: there the ſon, having long ſupported his aged parent, with reluctance obeyed his laſt commands, and, abandoning him in this uttermoſt diſtreſs, reſerved himſelf to the hopes of avenging that death which all his efforts could not prevent or delay. The aſtoniſhing greatneſs of the calamity deprived the ſufferers of any relief from the view of companions in affliction. With ſilent tears, or lamentable cries, they hurried on through the hoſtile territories; and found every heart, which was not ſteeled by native barbarity, guarded by the more implacable furies of miſtaken piety and religion.[c]

The ſaving of Dublin preſerved in Ireland the remains of the Engliſh name. The gates of that city, though timorouſly opened, received the wretched ſupplicants, and preſented to the view a ſcene of human miſery beyond what any eye had ever before beheld.[d] Compaſſion ſeized the amazed inhabitants, aggravated with the fear of like calamities; while they obſerved the numerous foes without and within, which every where environed them, and reflected on the weak reſources by which they were themſelves ſupported. The more vigorous of the unhappy fugitives, to the number of three thouſand, were inliſted into three regiments; the reſt were diſtributed into the houſes; and all care was taken, by diet and warmth, to recruit their feeble and torpid limbs. Diſeaſes of unknown name and ſpecies, derived from theſe multiplied diſtreſſes, ſeized many of them, and put a ſpeedy period to their lives: others, having now leiſure to reflect on their mighty loſs of friends and fortune, curſed that being which they had ſaved. Abandoning themſelves to deſpair, refuſing all ſuccour, they expired; without other conſolation than that of receiving among their countrymen the honours of a grave, which,

to their ſlaughtered companions, had been denied by the inhuman barbarians.[e]

By ſome computations, thoſe who periſhed by all theſe cruelties are ſuppoſed to be a hundred and fifty, or two hundred thouſand; by the moſt moderate, and probably the moſt reaſonable account, they are made to amount to forty thouſand; if this eſtimation itſelf be not, as is uſual in ſuch caſes, ſomewhat exaggerated.

The juſtices ordered to Dublin all the bodies of the army which were not ſurrounded by the rebels; and they aſſembled a force of fifteen hundred veterans. They ſoon inliſted, and armed from the magazines, above four thouſand men more. They diſpatched a body of ſix hundred men to throw relief into Tredah, beſieged by the Iriſh. But theſe troops, attacked by the enemy, were ſeized with a panic, and were moſt of them put to the ſword. Their arms, falling into the hands of the Iriſh, ſupplied them with what they moſt wanted.[f] The juſtices, willing to foment the rebellion, in a view of profiting by the multiplied forfeitures, henceforth thought of nothing more than providing for their own preſent ſecurity, and that of the capital. The earl of Ormond, their general, remonſtrated againſt ſuch timid, not to ſay baſe and intereſted, counſels; but was obliged to ſubmit to authority.

The Engliſh of the pale, who probably were not at firſt in the ſecret, pretended to blame the inſurrection, and to deteſt the barbarity with which it was accompanied.[g] By their proteſtations and declarations they engaged the juſtices to ſupply them with arms, which they promiſed to employ in defence of the government.[h] But in a little time the intereſts of religion were found more prevalent over them, than regard and duty to their mother country. They choſe lord Gormanſtone their leader; and, joining the old Iriſh, rivalled them in every act of

violence towards the Engliſh proteſtants. Beſides many ſmaller bodies diſperſed over the kingdom, the principal army of the rebels amounted to twenty thouſand men, and threatened Dublin with an immediate ſiege.[i]

Both the Engliſh and Iriſh rebels conſpired in one impoſture, with which they ſeduced many of their deluded countrymen: they pretended authority from the king and queen, but chiefly from the latter, for their inſurrection; and they affirmed that the cauſe of their taking arms was to vindicate royal prerogative, now invaded by the puritanical parliament.[k] Sir Phelim O'Neale, having found a royal patent in lord Caufield's houſe, whom he had murdered, tore off the ſeal, and affixed it to a commiſſion which he had forged for himſelf.[l]

The king received an account of this inſurrection by a meſſenger diſpatched from the north of Ireland. He immediately communicated his intelligence to the Scottiſh parliament. He expected that the mighty zeal expreſſed by the Scots, for the proteſtant religion, would immediately engage them to fly to its defence, where it was ſo violently invaded; he hoped that their horror againſt popery, a religion which now appeared in its moſt horrible aſpect, would ſecond all his exhortations; he had obſerved with what alacrity they had twice run to arms, and aſſembled troops in oppoſition to the rights of their ſovereign; he ſaw with how much greater facility they could now collect forces, which had been very lately diſbanded, and which had been ſo long inured to military diſcipline. The cries of their affrighted and diſtreſſed brethren in Ireland, he promiſed himſelf, would powerfully incite them to ſend over ſuccours, which could arrive ſo quickly, and aid them with ſuch promptitude in this uttermoſt diſtreſs. But the zeal of the Scots, as is uſual among religious ſects, was very feeble when not ſtimulated either by faction or by intereſt. They now conſidered themſelves en-

tirely as a republic, and made no account of the authority of their prince, which they had utterly annihilated. Conceiving hopes from the preſent diſtreſſes of Ireland, they reſolved to make an advantageous bargain for the ſuccours with which they ſhould ſupply their neighbouring nation. And they caſt their eye towards the Engliſh parliament, with whom they were already ſo cloſely connected, and who could alone fulfil any articles which might be agreed on. Except diſpatching a ſmall body to ſupport the Scottiſh colonies in Ulſter, they would, therefore, go no farther at preſent than ſending commiſſioners to London, in order to treat with that power, to whom the ſovereign authority was now in reality transferred.[m]

The king too, ſenſible of his utter inability to ſubdue the Iriſh rebels, found himſelf obliged, in this exigency, to have recourſe to the Engliſh parliament, and depend on their aſſiſtance for ſupply. After communicating to them the intelligence which he had received, he informed them that the inſurrection was not, in his opinion, the reſult of any raſh enterpriſe, but of a formed conſpiracy againſt the crown of England. To their care and wiſdom, therefore, he ſaid, he committed the conduct and proſecution of the war, which, in a cauſe ſo important to national and religious intereſts, muſt of neceſſity be immediately entered upon, and vigorouſly purſued.[n]

ENGLISH PARLIAMENT.

THE Engliſh parliament was now aſſembled; and diſcovered, in every vote, the ſame diſpoſitions in which they had ſeparated. The exalting of their own authority, the diminiſhing of the king's, were ſtill the objects purſued by the majority. Every attempt which had been made to gain the popular leaders, and by offices to attach them to the crown, had failed of ſucceſs,

either for want of ſkill in conducting it, or by reaſon of the ſlender preferments which it was then in the king's power to confer. The ambitious and enterpriſing patriots diſdained to accept, in detail, of a precarious power; while they deemed it ſo eaſy, by one bold and vigorous aſſault, to poſſeſs themſelves for ever of the entire ſovereignty. Senſible that the meaſures which they had hitherto purſued rendered them extremely obnoxious to the king; were many of them in themſelves exceptionable; ſome of them, ſtrictly ſpeaking, illegal; they reſolved to ſeek their own ſecurity, as well as greatneſs, by enlarging popular authority in England. The great neceſſities to which the king was reduced; the violent prejudices which generally, throughout the nation, prevailed againſt him; his facility in making the moſt important conceſſions; the example of the Scots, whoſe encroachments had totally ſubverted monarchy: all theſe circumſtances farther inſtigated the commons in their invaſion of royal prerogative. And the danger to which the conſtitution ſeemed to have been ſo lately expoſed perſuaded many that it never could be ſufficiently ſecured but by the entire abolition of that authority which had invaded it.

But this project it had not been in the power, ſcarcely in the intention, of the popular leaders to execute, had it not been for the paſſion which ſeized the nation for preſbyterian diſcipline, and for the wild enthuſiaſm which at that time accompanied it. The licenſe which the parliament had beſtowed on this ſpirit, by checking eccleſiaſtical authority; the countenance and encouragement with which they had honoured it; had already diffuſed its influence to a wonderful degree: and all orders of men had drunk deep of the intoxicating poiſon. In every diſcourſe or converſation this mode of religion entered; in all buſineſs it had a ſhare; every elegant pleaſure or amuſement it utterly annihilated; many vices or corruptions of mind it promoted; even

diſeaſes and bodily diſtempers were not totally exempted from it; and it became requiſite, we are told, for all phyſicians to be expert in the ſpiritual profeſſion, and, by theological conſiderations, to allay thoſe religious terrors with which their patients were ſo generally haunted. Learning itſelf, which tends ſo much to enlarge the mind and humanize the temper, rather ſerved on this occaſion to exalt that epidemical frenzy which prevailed. Rude as yet, and imperfect, it ſupplied the diſmal fanaticiſm with a variety of views, founded it on ſome coherency of ſyſtem, enriched it with different figures of elocution; advantages with which a people, totally ignorant and barbarous, had been happily unacquainted.

From policy at firſt, and inclination, now from neceſſity, the king attached himſelf extremely to the hierarchy: for like reaſons his enemies were determined, by one and the ſame effort, to overpower the church and monarchy.

While the commons were in this diſpoſition the Iriſh rebellion was the event which tended moſt to promote the views in which all their meaſures terminated. A horror againſt the papiſts, however innocent, they had conſtantly encouraged; a terror from the conſpiracies of that ſect, however improbable, they had at all times endeavoured to excite. Here was broken out a rebellion, dreadful and unexpected; accompanied with circumſtances the moſt deteſtable of which there ever was any record: and what was the peculiar guilt of the Iriſh catholics it was no difficult matter, in the preſent diſpoſition of men's minds, to attribute to that whole ſect who were already ſo much the object of general abhorrence. Accuſtomed, in all invectives, to join the prelatical party with the papiſts, the people immediately ſuppoſed this inſurrection to be the reſult of their united counſels. And, when they heard that the Iriſh rebels pleaded the king's commiſſion for all their acts of violence, bigotry, ever

credulous and malignant, aſſented without ſcruple to that groſs impoſture, and loaded the unhappy prince with the whole enormity of a contrivance ſo barbarous and inhuman.[o]

By the difficulties and diſtreſſes of the crown the commons, who poſſeſſed alone the power of ſupply, had aggrandiſed themſelves; and it ſeemed a peculiar happineſs that the Iriſh rebellion had ſucceeded, at ſo critical a juncture, to the pacification of Scotland. That expreſſion of the king's, by which he committed to them the care of Ireland, they immediately laid hold of, and interpreted in the moſt unlimited ſenſe. They had, on other occaſions, been gradually encroaching on the executive power of the crown, which forms its principal and moſt natural branch of authority; but, with regard to Ireland, they at once aſſumed it, fully and entirely, as if delivered over to them by a regular gift or aſſignment. And to this uſurpation the king was obliged paſſively to ſubmit; both becauſe of his inability to reſiſt, and leſt he ſhould ſtill more expoſe himſelf to the reproach of favouring the progreſs of that odious rebellion.

The project of introducing farther innovations in England being once formed by the leaders among the commons, it became a neceſſary conſequence, that their operations with regard to Ireland ſhould, all of them, be conſidered as ſubordinate to the former; on whoſe ſucceſs, when once undertaken, their own grandeur, ſecurity, and even being, muſt entirely depend. While they pretended the utmoſt zeal againſt the Iriſh inſurrection, they took no ſteps towards its ſuppreſſion, but ſuch as likewiſe tended to give them the ſuperiority in thoſe commotions which they foreſaw muſt ſo ſoon be excited in England.[p] The extreme contempt entertained for the natives in Ireland made the popular leaders believe that it would be eaſy at any time to ſuppreſs their rebellion, and recover that kingdom: nor were they willing to loſe, by too haſty ſucceſs, the advantage which that

rebellion would afford them in their projected encroachments on the prerogative. By aſſuming the total management of the war they acquired the courtſhip and dependance of every one who had any connexion with Ireland, or who was deſirous of inliſting in theſe military enterpriſes: they levied money under pretence of the Iriſh expedition; but reſerved it for purpoſes which concerned them more nearly: they took arms from the king's magazines; but ſtill kept them with a ſecret intention of employing them againſt himſelf: whatever law they deemed neceſſary for aggrandiſing themſelves was voted, under colour of enabling them to recover Ireland; and, if Charles withheld the royal aſſent, his refuſal was imputed to thoſe pernicious counſels which had at firſt excited the popiſh rebellion, and which ſtill threatened total deſtruction to the proteſtant intereſt throughout all his dominions.[q] And, though no forces were for a long time ſent over to Ireland, and very little money remitted, during the extreme diſtreſs of that kingdom, ſo ſtrong was the people's attachment to the commons, that the fault was never imputed to thoſe pious zealots whoſe votes breathed nothing but death and deſtruction to the Iriſh rebels.

To make the attack on royal authority by regular approaches, it was thought proper to frame a general remonſtrance of the ſtate of the nation; and accordingly the committee, which at the firſt meeting of parliament had been choſen for that purpoſe, and which had hitherto made no progreſs in their work, received freſh injunctions to finiſh that undertaking.

THE REMONSTRANCE.

The committee brought into the houſe that remonſtrance which has become ſo memorable, and which was ſoon afterwards attended with ſuch important conſequences. It was not addreſſed

to the king, but was openly declared to be an appeal to the people. The harſhneſs of the matter was equalled by the ſeverity of the language. It conſiſts of many groſs falſehoods, intermingled with ſome evident truths; malignant inſinuations are joined to open invectives; loud complaints of the paſt, accompanied with jealous prognoſtications of the future. Whatever unfortunate, whatever invidious, whatever ſuſpicious meaſure had been embraced by the king from the commencement of his reign, is inſiſted on and aggravated with mercileſs rhetoric: the unſucceſsful expeditions to Cadiz and the iſle of Rhe are mentioned; the ſending of ſhips to France for the ſuppreſſion of the hugonots; the forced loans; the illegal confinement of men for not obeying illegal commands; the violent diſſolution of four parliaments; the arbitrary government which always ſucceeded; the queſtioning, fining, and impriſoning of members for their conduct in the houſe; the levying of taxes without conſent of the commons; the introducing of ſuperſtitious innovations into the church, without authority of law: in ſhort, every thing which, either with or without reaſon, had given offence during the courſe of fifteen years, from the acceſſion of the king to the calling of the preſent parliament. And, though all theſe grievances had been already redreſſed, and even laws enacted for future ſecurity againſt their return, the praiſe of theſe advantages was aſcribed, not to the king, but to the parliament who had extorted his conſent to ſuch ſalutary ſtatutes. Their own merits too, they aſſerted, towards the king, were no leſs eminent than towards the people. Though they had ſeized his whole revenue, rendered it totally precarious, and made even their temporary ſupplies be paid to their own commiſſioners, who were independent of him, they pretended that they had liberally ſupported him in his neceſſities. By an inſult ſtill more egregious, the very giving of money to the Scots for levying war againſt

their ſovereign, they repreſented as an inſtance of their duty towards him. And all their grievances, they ſaid, which amounted to no leſs than a total ſubverſion of the conſtitution, proceeded entirely from the formed combination of a popiſh faction, who had ever ſwayed the king's counſels, who had endeavoured, by an uninterrupted effort, to introduce their ſuperſtition into England and Scotland, and who had now at laſt excited an open and bloody rebellion in Ireland.[r]

This remonſtrance, ſo full of acrimony and violence, was a plain ſignal for ſome farther attacks intended on royal prerogative, and a declaration that the conceſſions already made, however important, were not to be regarded as ſatisfactory. What pretenſions would be advanced, how unprecedented, how unlimited, were eaſily imagined; and nothing leſs was foreſeen, whatever ancient names might be preſerved, than an abolition, almoſt total, of the monarchical government of England. The oppoſition, therefore, which the remonſtrance met with in the houſe of commons, was great. For above fourteen hours the debate was warmly managed; and, from the wearineſs of the king's party, which probably conſiſted chiefly of the elderly people and men of cool ſpirits, the vote was at laſt carried by a ſmall majority of eleven.[s] Some time after the remonſtrance was ordered to be printed and publiſhed, without being carried up to the houſe of peers for their aſſent and concurrence.

REASONS ON BOTH SIDES.

When this remonſtrance was diſperſed it excited every where the ſame violent controverſy which attended it when introduced into the houſe of commons. This parliament, ſaid the partiſans of that aſſembly, have at length profited by the fatal example of their predeceſſors; and are reſolved that the fabric, which

they have generouſly undertaken to rear for the protection of liberty, ſhall not be left to future ages inſecure and imperfect. At the time when the petition of right, that requiſite vindication of a violated conſtitution, was extorted from the unwilling prince; who but imagined that liberty was at laſt ſecured, and that the laws would thenceforth maintain themſelves in oppoſition to arbitrary authority? But what was the event? A right was indeed acquired to the people, or rather their ancient right was more exactly defined: but, as the power of invading it ſtill remained in the prince, no ſooner did an opportunity offer than he totally diſregarded all laws and preceding engagements, and made his will and pleaſure the ſole rule of government. Thoſe lofty ideas of monarchical authority, which he has derived from his early education, which are united in his mind with the irreſiſtible illuſions of ſelf-love, which are corroborated by his miſtaken principles of religion, it is in vain to hope that, in his more advanced age, he will ſincerely renounce, from any ſubſequent reflection or experience. Such converſions, if ever they happen, are extremely rare; but to expect that they will be derived from neceſſity, from the jealouſy and reſentment of antagoniſts, from blame, from reproach, from oppoſition, muſt be the reſult of the fondeſt and moſt blind credulity. Theſe violences, however neceſſary, are ſure to irritate a prince againſt limitations ſo cruelly impoſed upon him; and each conceſſion, which he is conſtrained to make, is regarded as a temporary tribute paid to faction and ſedition, and is ſecretly attended with a reſolution of ſeizing every favourable opportunity to retract it. Nor ſhould we imagine that opportunities of that kind will not offer in the courſe of human affairs. Governments, eſpecially thoſe of a mixed kind, are in continual fluctuation: the humours of the people change perpetually from one extreme to another: and no reſolution can be more wiſe, as well as more juſt, than

that of employing the preſent advantages againſt the king, who had formerly puſhed much leſs tempting ones to the utmoſt extremities againſt his people and his parliament. It is to be feared that, if the religious rage which has ſeized the multitude be allowed to evaporate, they will quickly return to the ancient eccleſiaſtical eſtabliſhment, and with it embrace thoſe principles of ſlavery which it inculcates with ſuch zeal on its ſubmiſſive proſelytes. Thoſe patriots, who are now the public idols, may then become the objects of general deteſtation; and equal ſhouts of joy attend their ignominious execution, with thoſe which ſecond their preſent advantages and triumphs. Nor ought the apprehenſion of ſuch an event to be regarded in them as a ſelfiſh conſideration; in their ſafety is involved the ſecurity of the laws; the patrons of the conſtitution cannot ſuffer without a fatal blow to the conſtitution; and it is but juſtice in the public to protect, at any hazard, thoſe who have ſo generouſly expoſed themſelves to the utmoſt hazard for the public intereſt. What though monarchy, the ancient government of England, be impaired, during theſe conteſts, in many of its former prerogatives, the laws will flouriſh the more by its decay; and it is happy, allowing that matters are really carried beyond the bounds of moderation, that the current at leaſt runs towards liberty, and that the error is on that ſide which is ſafeſt for the general intereſts of mankind and ſociety.

The beſt arguments of the royaliſts againſt a farther attack on the prerogative were founded more on oppoſite ideas, which they had formed of the paſt events of this reign, than on oppoſite principles of government. Some invaſions, they ſaid, and thoſe too of moment, had undoubtedly been made on national privileges; but, were we to look for the cauſe of theſe violences, we ſhould never find it to conſiſt in the wanton tyranny and injuſtice of the prince, not even in his ambition or immoderate

appetite for authority. The hoſtilities with Spain, in which the king, on his acceſſion, found himſelf engaged, however imprudent and unneceſſary, had proceeded from the advice, and even importunity, of the parliament, who deſerted him immediately after they had embarked him in thoſe warlike meaſures. A young prince, jealous of honour, was naturally afraid of being foiled in his firſt enterpriſe; and had not as yet attained ſuch maturity of counſel as to perceive that his greateſt honour lay in preſerving the laws inviolate, and gaining the full confidence of his people. The rigour of the ſubſequent parliaments had been extreme with regard to many articles, particularly tonnage and poundage; and had reduced the king to an abſolute neceſſity, if he would preſerve entire the royal prerogative, of levying thoſe duties by his own authority, and of breaking through the forms, in order to maintain the ſpirit, of the conſtitution. Having once made ſo perilous a ſtep, he was naturally induced to continue; and to conſult the public intereſt, by impoſing ſhip money, and other moderate, though irregular, burdens and taxations. A ſure proof that he had formed no ſyſtem for enſlaving his people is, that the chief object of his government has been to raiſe a naval, not a military force; a project uſeful, honourable, nay indiſpenſably requiſite, and, in ſpite of his great neceſſities, brought almoſt to a happy concluſion. It is now full time to free him from all theſe neceſſities, and to apply cordials and lenitives, after thoſe ſeverities which have already had their full courſe againſt him. Never was ſovereign bleſſed with more moderation of temper, with more juſtice, more humanity, more honour, or a more gentle diſpoſition. What pity that ſuch a prince ſhould ſo long have been haraſſed with rigours, ſuſpicions, calumnies, complaints, encroachments; and been forced from that path in which the rectitude of his principles would have inclined him to have conſtantly trod! If ſome few inſtances

are found of violations made on the petition of right, which he himſelf had granted, there is an eaſier and more natural way for preventing the return of like inconveniences than by a total abolition of royal authority. Let the revenue be ſettled, ſuitably to the ancient dignity and ſplendour of the crown; let the public neceſſities be fully ſupplied; let the remaining articles of prerogative be left untouched; and the king, as he has already loſt the power, will lay aſide the will, of invading the conſtitution. From what quarter can jealouſies now ariſe? What farther ſecurity can be deſired or expected? The king's preceding conceſſions, ſo far from being inſufficient for public ſecurity, have rather erred on the other extreme; and, by depriving him of all power of ſelf-defence, are the real cauſe why the commons are emboldened to raiſe pretenſions hitherto unheard of in the kingdom, and to ſubvert the whole ſyſtem of the conſtitution. But, would they be content with moderate advantages, is it not evident that, beſides other important conceſſions, the preſent parliament may be continued till the government be accuſtomed to the new track, and every part be reſtored to full harmony and concord? By the triennial act a perpetual ſucceſſion of parliaments is eſtabliſhed, as everlaſting guardians to the laws, while the king poſſeſſes no independent power or military force by which he can be ſupported in his invaſion of them. No danger remains but what is inſeparable from all free conſtitutions, and what forms the very eſſence of their freedom; the danger of a change in the people's diſpoſition, and of general diſguſt, contracted againſt popular privileges. To prevent ſuch an evil, no expedient is more proper than to contain ourſelves within the bounds of moderation, and to conſider that all extremes naturally and infallibly beget each other. In the ſame manner as the paſt uſurpations of the crown, however excuſable on account of the neceſſity or provocations whence they aroſe, have excited

an immeaſurable appetite for liberty, let us beware leſt our encroachments, by introducing anarchy, make the people ſeek ſhelter under the peaceable and deſpotic rule of a monarch. Authority, as well as liberty, is requiſite to government; and is even requiſite to the ſupport of liberty itſelf, by maintaining the laws, which can alone regulate and protect it. What madneſs, while every thing is ſo happily ſettled under ancient forms and inſtitutions, now more exactly poiſed and adjuſted, to try the hazardous experiment of a new conſtitution, and renounce the mature wiſdom of our anceſtors for the crude whimſies of turbulent innovators! Beſides the certain and inconceivable miſchiefs of civil war, are not the perils apparent which the delicate frame of liberty muſt inevitably ſuſtain amidſt the furious ſhock of arms? Whichever ſide prevails, ſhe can ſcarcely hope to remain inviolate, and may ſuffer no leſs, or rather greater, injuries from the boundleſs pretenſions of forces engaged in her cauſe, than from the invaſion of enraged troops, inliſted on the ſide of monarchy.

The king, upon his return from Scotland, was received in London with the ſhouts and acclamations of the people, and with every demonſtration of regard and affection.[t] Sir Richard Gournay, lord mayor, a man of moderation and authority, had promoted theſe favourable diſpoſitions, and had engaged the populace, who ſo lately inſulted the king, and who ſo ſoon after made furious war upon him, to give him theſe marks of their dutiful attachment. But all the pleaſure which Charles reaped from this joyous reception was ſoon damped by the remonſtrance of the commons, which was preſented him, together with a petition of a like ſtrain. The bad counſels which he followed are there complained of; his concurrence in the Iriſh rebellion plainly inſinuated; the ſcheme laid for the introduction of popery and ſuperſtition inveighed againſt; and, as a remedy for all theſe

evils, he is defired to intruſt every office and command to perſons in whom his parliament ſhould have cauſe to confide." By this phraſe, which is ſo often repeated in all the memorials and addreſſes of that time, the commons meant themſelves and their adherents.

As ſoon as the remonſtrance of the commons was publiſhed the king diſperſed an anſwer to it. In this conteſt he lay under great diſadvantages. Not only the ears of the people were extremely prejudiced againſt him; the beſt topics, upon which he could juſtify, at leaſt apologize for, his former conduct, were ſuch as it was not ſafe or prudent for him at this time to employ. So high was the national idolatry towards parliaments, that to blame the paſt conduct of theſe aſſemblies would have been very ill received by the generality of the people. So loud were the complaints againſt regal uſurpations, that, had the king aſſerted the prerogative of ſupplying, by his own authority, the deficiences in government, ariſing from the obſtinacy of the commons, he would have increaſed the clamours with which the whole nation already reſounded. Charles therefore contented himſelf with obſerving in general that, even during that period ſo much complained of, the people enjoyed a great meaſure of happineſs, not only comparatively, in reſpect of their neighbours, but even in reſpect of thoſe times which were juſtly accounted the moſt fortunate. He made warm proteſtations of ſincerity in the reformed religion; he promiſed indulgence to tender conſciences with regard to the ceremonies of the church; he mentioned his great conceſſions to national liberty; he blamed the infamous libels every where diſperſed againſt his perſon and the national religion; he complained of the general reproaches thrown out in the remonſtrance, with regard to ill counſels, though he had protected no miniſter from parliamentary juſtice, retained no unpopular ſervant, and conferred offices on no one

who enjoyed not a high character and eſtimation in the public. 'If, notwithſtanding this,' he adds, 'any malignant party ſhall take heart, and be willing to ſacrifice the peace and happineſs of their country to their own ſiniſter ends and ambition, under whatever pretence of religion and conſcience; if they ſhall endeavour to leſſen my reputation and intereſt, and to weaken my lawful power and authority; if they ſhall attempt, by diſcountenancing the preſent laws, to looſen the bands of government, that all diſorder and confuſion may break in upon us; I doubt not but God in his good time will diſcover them to me, and that the wiſdom and courage of my high court of parliament will join with me in their ſuppreſſion and puniſhment.' Nothing ſhews more evidently the hard ſituation in which Charles was placed, than to obſerve that he was obliged to confine himſelf within the limits of civility towards ſubjects who had tranſgreſſed all bounds of regard, and even of good manners, in the treatment of their ſovereign.

The firſt inſtance of thoſe parliamentary encroachments, which Charles was now to look for, was the bill for preſſing ſoldiers to the ſervice of Ireland. This bill quickly paſſed the lower houſe. In the preamble, the king's power of preſſing, a power exerciſed during all former times, was declared illegal, and contrary to the liberty of the ſubject. By a neceſſary conſequence, the prerogative which the crown had ever aſſumed, of obliging men to accept of any branch of public ſervice, was aboliſhed and annihilated: a prerogative, it muſt be owned, not very compatible with a limited monarchy. In order to elude this law, the king offered to raiſe ten thouſand volunteers for the Iriſh ſervice: but the commons were afraid leſt ſuch an army ſhould be too much at his devotion. Charles, ſtill unwilling to ſubmit to ſo conſiderable a diminution of power, came to the houſe of peers, and offered to paſs the law without the preamble; by

which means, he ſaid, that ill-timed queſtion with regard to the prerogative would for the preſent be avoided, and the pretenſions of each party be left entire. Both houſes took fire at this meaſure, which, from a ſimilar inſtance while the bill of attainder againſt Strafford was in dependance, Charles might foreſee would be received with reſentment. The lords, as well as commons, paſſed a vote, declaring it to be a high breach of privilege for the king to take notice of any bill which was in agitation in either of the houſes, or to expreſs his ſentiments with regard to it, before it be preſented to him for his aſſent in a parliamentary manner. The king was obliged to compoſe all matters by an apology.[x]

The general queſtion, we may obſerve, with regard to privileges of parliament, has always been, and ſtill continues, one of the greateſt myſteries in the Engliſh conſtitution; and, in ſome reſpects, notwithſtanding the accurate genius of that government, theſe privileges are at preſent as undetermined as were formerly the prerogatives of the crown. Such privileges as are founded on long precedent cannot be controverted: but, though it were certain that former kings had not, in any inſtance, taken notice of bills lying before the houſes (which yet appears to have been very common), it follows not, merely from their never exerting ſuch a power, that they had renounced it, or never were poſſeſſed of it. Such privileges alſo, as are eſſential to all free aſſemblies which deliberate, they may be allowed to aſſume, whatever precedents may prevail. But, though the king's interpoſition, by an offer or advice, does in ſome degree overawe or reſtrain liberty, it may be doubted whether it impoſes ſuch evident violence as to entitle the parliament, without any other authority or conceſſion, to claim the privilege of excluding it. But this was the favourable time for extending privileges; and, had none more exorbitant or unreaſonable been challenged, few

bad conſequences had followed. The eſtabliſhment of this rule, it is certain, contributes to the order and regularity, as well as freedom, of parliamentary proceedings.

The interpoſition of peers in the election of commoners was likewiſe about this time declared a breach of privilege; and continues ever ſince to be condemned by votes of the commons, and univerſally practiſed throughout the nation.

Every meaſure purſued by the commons, and, ſtill more, every attempt made by their partiſans, were full of the moſt inveterate hatred againſt the hierarchy, and ſhewed a determined reſolution of ſubverting the whole eccleſiaſtical eſtabliſhment. Beſides numberleſs vexations and perſecutions which the clergy underwent from the arbitrary power of the lower houſe, the peers, while the king was in Scotland, having paſſed an order for the obſervance of the laws with regard to public worſhip, the commons aſſumed ſuch authority, that, by a vote alone of their houſe, they ſuſpended thoſe laws, though enacted by the whole legiſlature: and they particularly forbade bowing at the name of Jeſus; a practice which gave them the higheſt ſcandal, and which was one of their capital objections againſt the eſtabliſhed religion.[y] They complained of the king's filling five vacant ſees, and conſidered it as an inſult upon them that he ſhould complete and ſtrengthen an order which they intended ſoon entirely to aboliſh.[z] They had accuſed thirteen biſhops of high treaſon for enacting canons without conſent of parliament,[a] though from the foundation of the monarchy no other method had ever been practiſed; and they now inſiſted that the peers, upon this general accuſation, ſhould ſequeſter thoſe biſhops from their ſeats in parliament, and commit them to priſon. Their bill for taking away the biſhops' votes had laſt winter been rejected by the peers: but they again introduced the ſame bill, though no prorogation had intervened; and they endeavoured, by ſome minute

alterations, to elude that rule of parliament which oppoſed them: and, when they ſent up this bill to the lords, they made a demand, the moſt abſurd in the world, that the biſhops, being all of them parties, ſhould be refuſed a vote with regard to that queſtion.[b] After the reſolution was once formed by the commons, of invading the eſtabliſhed government of church and ſtate, it could not be expected that their proceedings, in ſuch a violent attempt, would thenceforth be altogether regular and equitable. But it muſt be confeſſed that, in their attack on the hierarchy, they ſtill more openly paſſed all bounds of moderation; as ſuppoſing, no doubt, that the ſacredneſs of the cauſe would ſufficiently atone for employing means the moſt irregular and unprecedented. This principle, which prevails ſo much among zealots, never diſplayed itſelf ſo openly as during the tranſactions of this whole period.

But, notwithſtanding theſe efforts of the commons, they could not expect the concurrence of the upper houſe, either to this law, or to any other which they ſhould introduce for the farther limitation of royal authority. The majority of the peers adhered to the king, and plainly foreſaw the depreſſion of nobility as a neceſſary conſequence of popular uſurpations on the crown. The inſolence, indeed, of the commons, and their haughty treatment of the lords, had already riſen to a great height, and gave ſufficient warning of their future attempts upon that order. They muttered ſomewhat of their regret that they ſhould be obliged to ſave the kingdom alone, and that the houſe of peers would have no part in the honour. Nay, they went ſo far as openly to tell the lords that they themſelves were the repreſentative body of the whole kingdom, and that the peers were nothing but individuals who held their ſeats in a particular capacity: 'and therefore, if their lordſhips will not conſent to the paſſing of acts neceſſary for the preſervation of the people, the com-

mons, together with ſuch of the lords as are more ſenſible of the danger, muſt join together,' and repreſent the matter to his majeſty.' So violent was the democratical, enthuſiaſtic ſpirit diffuſed throughout the nation, that a total confuſion of all rank and order was juſtly to be apprehended; and the wonder was not that the majority of the nobles ſhould ſeek ſhelter under the throne, but that any of them ſhould venture to deſert it. But the tide of popularity ſeized many, and carried them wide of the moſt eſtabliſhed maxims of civil policy. Among the opponents of the king are ranked the earl of Northumberland, lord admiral, a man of the firſt family and fortune, and endowed with that dignified pride which ſo well became his rank and ſtation; the earl of Eſſex, who inherited all his father's popularity, and, having from his early youth ſought renown in arms, united to a middling capacity that rigid inflexibility of honour which forms the proper ornament of a nobleman and a ſoldier; lord Kimbolton, ſoon after earl of Manchester, a perſon diſtinguiſhed by humanity, generoſity, affability, and every amiable virtue. Theſe men, finding that their credit ran high with the nation, ventured to encourage thoſe popular diſorders, which they vainly imagined they poſſeſſed authority ſufficient to regulate and control.

In order to obtain a majority in the upper houſe, the commons had recourſe to the populace, who on other occaſions had done them ſuch important ſervice. Amidſt the greateſt ſecurity they affected continual fears of deſtruction to themſelves and the nation, and ſeemed to quake at every breath or rumour of danger. They again excited the people by never-ceaſing inquiries after conſpiracies, by reports of inſurrections, by feigned intelligence of invaſions from abroad, by diſcoveries of dangerous combinations at home among papiſts and their adherents. When Charles diſmiſſed the guard, which they had ordered during his

abſence, they complained; and, upon his promiſing them a new guard, under the command of the earl of Lindeſey, they abſolutely refuſed the offer, and were well pleaſed to inſinuate, by this inſtance of jealouſy, that their danger chiefly aroſe from the king himſelf.[d] They ordered halberts to be brought into the hall where they aſſembled, and thus armed themſelves againſt thoſe conſpiracies with which they pretended they were hourly threatened. All ſtories of plots, however ridiculous, were willingly attended to, and were diſperſed among the multitude, to whoſe capacity they were well adapted. Beale, a taylor, informed the commons that, walking in the fields, he had hearkened to the diſcourſe of certain perſons unknown to him, and had heard them talk of a moſt dangerous conſpiracy. A hundred and eight ruffians, as he learned, had been appointed to murder a hundred and eight lords and commoners, and were promiſed rewards for theſe aſſaſſinations, ten pounds for each lord, forty ſhillings for each commoner. Upon this notable intelligence orders were iſſued for ſeizing prieſts and jeſuits; a conference was deſired with the lords; and the deputy lieutenants of ſome ſuſpected counties were ordered to put the people in a poſture of defence.[e]

The pulpits likewiſe were called in aid, and reſounded with the dangers which threatened religion, from the deſperate attempts of papiſts and malignants. Multitudes flocked towards Weſtminſter, and inſulted the prelates, and ſuch of the lords as adhered to the crown. The peers voted a declaration againſt thoſe tumults, and ſent it to the lower houſe; but theſe refuſed their concurrence.[f] Some ſeditious apprentices, being ſeized and committed to priſon, immediately received their liberty by an order of the commons.[g] The ſheriffs and juſtices having appointed conſtables with ſtrong watches to guard the parliament, the commons ſent for the conſtables, and required them to diſ-

charge the watches, convened the juſtices, voted their orders a breach of privilege, and ſent one of them to the tower.[h] Encouraged by theſe intimations of their pleaſure, the populace crowded about Whitehall, and threw out inſolent menaces againſt Charles himſelf. Several reduced officers and young gentlemen of the inns of court, during this time of diſorder and danger, offered their ſervice to the king. Between them and the populace there paſſed frequent ſkirmiſhes, which ended not without bloodſhed. By way of reproach, theſe gentlemen gave the rabble the appellation of 'Roundheads,' on account of the ſhort cropt hair which they wore: theſe called the others 'Cavaliers.' And thus the nation, which was before ſufficiently provided with religious as well as civil cauſes of quarrel, was alſo ſupplied with party names, under which the factions might rendezvous, and ſignalize their mutual hatred.[i]

IMPEACHMENT OF THE BISHOPS.

MEANWHILE the tumults ſtill continued, and even increaſed, about Weſtminſter and Whitehall. The cry inceſſantly reſounded againſt 'biſhops[k] and rotten-hearted lords.' The former eſpecially, being diſtinguiſhable by their habit, and being the object of violent hatred to all the ſectaries, were expoſed to the moſt dangerous inſults.[l] Williams, now created archbiſhop of York, having been abuſed by the populace, haſtily called a meeting of his brethren. By his advice a proteſtation was drawn, and addreſſed to the king and the houſe of lords. The biſhops there ſet forth that, though they had an undoubted right to ſit and vote in parliament, yet in coming thither they had been menaced, aſſaulted, affronted, by the unruly multitude, and could no longer with ſafety attend their duty in the houſe. For this reaſon they proteſted againſt all laws, votes, and reſolutions, as

null and invalid, which ſhould paſs during the time of their conſtrained abſence. This proteſtation, which, though juſt and legal, was certainly ill-timed, was ſigned by twelve biſhops, and communicated to the king, who haſtily approved of it. As ſoon as it was preſented to the lords, that houſe deſired a conference with the commons, whom they informed of this unexpected proteſtation. The opportunity was ſeized with joy and triumph. An impeachment of high treaſon was immediately ſent up againſt the biſhops, as endeavouring to ſubvert the fundamental laws, and to invalidate the authority of the legiſlature.[m] They were, on the firſt demand, ſequeſtrated from parliament, and committed to cuſtody. No man, in either houſe, ventured to ſpeak a word in their vindication; ſo much diſpleaſed was every one at the egregious imprudence of which they had been guilty. One perſon alone ſaid that he did not believe them guilty of high treaſon, but that they were ſtark mad, and therefore deſired they might be ſent to bedlam.[n]

A few days after the king was betrayed into another indiſcretion, much more fatal; an indiſcretion to which all the enſuing diſorders and civil wars ought immediately and directly to be aſcribed; this was the impeachment of lord Kimbolton and the five members.

When the commons employed, in their remonſtrance, language ſo ſevere and indecent, they had not been actuated entirely by inſolence and paſſion; their views were more ſolid and profound. They conſidered that, in a violent attempt, ſuch as an invaſion of the ancient conſtitution, the more leiſure was afforded the people to reflect, the leſs would they be inclined to ſecond that raſh and dangerous enterpriſe; that the peers would certainly refuſe their concurrence; nor were there any hopes of prevailing on them, but by inſtigating the populace to tumult and diſorder; that the employing of ſuch odious means for ſo

invidious an end would, at long-run, loſe them all their popularity, and turn the tide of favour to the contrary party; and that, if the king only remained in tranquillity, and cautiouſly eluded the firſt violence of the tempeſt, he would in the end certainly prevail, and be able at leaſt to preſerve the ancient laws and conſtitution. They were therefore reſolved, if poſſible, to excite him to ſome violent paſſion, in hopes that he would commit indiſcretions of which they might make advantage.

It was not long before they ſucceeded beyond their fondeſt wiſhes. Charles was enraged to find that all his conceſſions but increaſed their demands; that the people, who were returning to a ſenſe of duty towards him, were again rouſed to ſedition and tumults; that the blackeſt calumnies were propagated againſt him, and even the Iriſh maſſacre aſcribed to his counſels and machinations; and that a method of addreſs was adopted, not only unſuitable towards ſo great a prince, but which no private gentleman could bear without reſentment. When he conſidered all theſe increaſing acts of inſolence in the commons, he was apt to aſcribe them, in a great meaſure, to his own indolence and facility. The queen and the ladies of the court farther ſtimulated his paſſion, and repreſented that, if he exerted the vigour, and diſplayed the majeſty, of a monarch, the daring uſurpations of his ſubjects would ſhrink before him. Lord Digby, a man of fine parts, but full of levity, and hurried on by precipitate paſſions, ſuggeſted like counſels; and Charles, who, though commonly moderate in his temper, was ever diſpoſed to haſty reſolutions, gave way to the fatal importunity of his friends and ſervants.°

ACCUSATION OF FIVE MEMBERS. 1642.

HERBERT, attorney general, appeared in the houſe of peers, and, in his majeſty's name, entered an accuſation of high treaſon

againſt lord Kimbolton and five commoners; Hollis, ſir Arthur Hazlerig, Hambden, Pym, and Strode. The articles were, that they had traitorouſly endeavoured to ſubvert the fundamental laws and government of the kingdom, to deprive the king of his regal power, and to impoſe on his ſubjects an arbitrary and tyrannical authority; that they had endeavoured, by many foul aſperſions on his majeſty and his government, to alienate the affections of his people, and make him odious to them; that they had attempted to draw his late army to diſobedience of his royal commands, and to ſide with them in their traitorous deſigns; that they had invited and encouraged a foreign power to invade the kingdom; that they had aimed at ſubverting the rights and very being of parliament; that, in order to complete their traitorous deſigns, they had endeavoured, as far as in them lay, by force and terror, to compel the parliament to join with them, and to that end had actually raiſed and countenanced tumults againſt the king and parliament; and that they had traitorouſly conſpired to levy, and actually had levied, war againſt the king.[P]

The whole world ſtood amazed at this important accuſation, ſo ſuddenly entered upon without concert, deliberation, or reflection. Some of theſe articles of accuſation, men ſaid, to judge by appearance, ſeem to be common between the impeached members and the parliament: nor did theſe perſons appear any farther active in the enterpriſes of which they were accuſed, than ſo far as they concurred with the majority in their votes and ſpeeches. Though proofs might, perhaps, be produced, of their privately inviting the Scots to invade England; how could ſuch an attempt be conſidered as treaſon, after the act of oblivion which had paſſed, and after that both houſes, with the king's concurrence, had voted that nation three hundred thouſand pounds for their brotherly aſſiſtance! While the houſe of peers

are ſcarcely able to maintain their independency, or to reject the bills ſent them by the commons, will they ever be permitted by the populace, ſuppoſing them inclined, to paſs a ſentence which muſt totally ſubdue the lower houſe, and put an end to their ambitious undertakings? Theſe five members, at leaſt Pym, Hambden, and Hollis, are the very heads of the popular party; and, if theſe be taken off, what fate muſt be expected by their followers, who are many of them accomplices in the ſame treaſon? The puniſhment of leaders is ever the laſt triumph over a broken and routed party; but ſurely was never before attempted, in oppoſition to a faction, during the full tide of its power and ſucceſs.

But men had not leiſure to wonder at the indiſcretion of this meaſure; their aſtoniſhment was excited by new attempts, ſtill more precipitate and imprudent. A ſerjeant at arms, in the king's name, demanded of the houſe the five members, and was ſent back without any poſitive anſwer. Meſſengers were employed to ſearch for them and arreſt them. Their trunks, chambers, and ſtudies, were ſealed and locked. The houſe voted all theſe acts of violence to be breaches of privilege, and commanded every one to defend the liberty of the members.[q] The king, irritated by all this oppoſition, reſolved next day to come in perſon to the houſe, with an intention to demand, perhaps ſeize in their preſence, the perſons whom he had accuſed.

This reſolution was diſcovered to the counteſs of Carliſle, ſiſter to Northumberland; a lady of ſpirit, wit, and intrigue.[r] She privately ſent intelligence to the five members; and they had time to withdraw a moment before the king entered. He was accompanied by his ordinary retinue to the number of above two hundred, armed, as uſual, ſome with halberts, ſome with walking ſwords. The king left them at the door, and he himſelf advanced alone through the hall; while all the members roſe

to receive him. The ſpeaker withdrew from his chair, and the king took poſſeſſion of it. The ſpeech which he made was as follows: 'Gentlemen, I am ſorry for this occaſion of coming to you. Yeſterday I ſent a ſerjeant at arms to demand ſome, who by my order were accuſed of high treaſon. Inſtead of obedience I received a meſſage. I muſt here declare to you that, though no king that ever was in England could be more careful of your privileges than I ſhall be, yet in caſes of treaſon no perſon has privilege. Therefore am I come to tell you that I muſt have theſe men whereſoever I can find them. Well, ſince I ſee all the birds are flown, I do expect that you will ſend them to me as ſoon as they return. But I aſſure you, on the word of a king, I never did intend any force, but ſhall proceed againſt them in a fair and legal way; for I never meant any other. And now, ſince I ſee I cannot do what I came for, I think this is no unfit occaſion to repeat what I have ſaid formerly, that, whatever I have done in favour and to the good of my ſubjects,' I do intend to maintain it.'

When the king was looking around for the accuſed members, he aſked the ſpeaker, who ſtood below, whether any of theſe perſons were in the houſe? The ſpeaker, falling on his knee, prudently replied: 'I have, ſir, neither eyes to ſee, nor tongue to ſpeak, in this place, but as the houſe is pleaſed to direct me, whoſe ſervant I am. And I humbly aſk pardon that I cannot give any other anſwer ' to what your majeſty is pleaſed to demand of me.'

The commons were in the utmoſt diſorder; and, when the king was departing, ſome members cried aloud, ſo as he might hear them, 'Privilege! privilege!' And the houſe immediately adjourned till next day.[a]

That evening the accuſed members, to ſhew the greater apprehenſion, removed into the city, which was their fortreſs. The

citizens were the whole night in arms. Some people, who were appointed for that purpoſe, or perhaps actuated by their own terrors, ran from gate to gate, crying out that the cavaliers were coming to burn the city, and that the king himſelf was at their head.

Next morning Charles ſent to the mayor, and ordered him to call a common council immediately. About ten o'clock he himſelf, attended only by three or four lords, went to Guildhall. He told the common council that he was ſorry to hear of the apprehenſions entertained of him; that he was come to them without any guard, in order to ſhew how much he relied on their affections; and that he had accuſed certain men of high treaſon, againſt whom he would proceed in a legal way, and therefore preſumed that they would not meet with protection in the city. After many other gracious expreſſions, he told one of the ſheriffs, who of the two was thought the leaſt inclined to his ſervice, that he would dine with him. He departed the hall without receiving the applauſe which he expected. In paſſing through the ſtreets he heard the cry, 'Privilege of parliament! privilege of parliament!' reſounding from all quarters. One of the populace, more inſolent than the reſt, drew nigh to his coach, and called out with a loud voice, 'To your tents, O Iſrael!' the words employed by the mutinous Iſraelites when they abandoned Rehoboam, their raſh and ill-counſelled ſovereign.*

When the houſe of commons met they affected the greateſt diſmay; and, adjourning themſelves for ſome days, ordered a committee to ſit in merchant-taylors hall in the city. The committee made an exact inquiry into all circumſtances attending the king's entry into the houſe: every paſſionate ſpeech, every menacing geſture, of any, even the meaneſt of his attendants, was recorded and aggravated. An intention of offering violence to the parliament, of ſeizing the accuſed members in the very

houſe, and of murdering all who ſhould make reſiſtance, was inferred. And that unparalleled breach of privilege, ſo it was called, was ſtill aſcribed to the counſel of papiſts and their adherents. This expreſſion, which then recurred every moment in ſpeeches and memorials, and which at preſent is ſo apt to excite laughter in the reader, begat at that time the deepeſt and moſt real conſternation throughout the kingdom.

A letter was pretended to be intercepted, and was communicated to the committee, who pretended to lay great ſtreſs upon it. One catholic there congratulates another on the accuſation of the members; and repreſents that incident as a branch of the ſame pious contrivance which had excited the Iriſh inſurrection, and by which the profane heretics would ſoon be exterminated in England.[y]

TUMULTS.

THE houſe again met; and, after confirming the votes of their committee, inſtantly adjourned, as if expoſed to the moſt imminent perils from the violence of their enemies. This practice they continued for ſome time. When the people, by theſe affected panics, were wrought up to a ſufficient degree of rage and terror, it was thought proper that the accuſed members ſhould, with a triumphant and military proceſſion, take their ſeats in the houſe. The river was covered with boats, and other veſſels, laden with ſmall pieces of ordnance, and prepared for fight. Skippon, whom the parliament had appointed, by their own authority, major-general of the city militia,[z] conducted the members, at the head of this tumultuary army, to Weſtminſter-hall: and, when the populace, by land and by water, paſſed Whitehall, they ſtill aſked, with inſulting ſhouts, 'What has become of the king and his cavaliers?'[a] and whither are they fled?'

KING LEAVES LONDON.

THE king, apprehenſive of danger from the enraged multitude, had retired to Hampton-court, deſerted by all the world, and overwhelmed with grief, ſhame, and remorſe, for the fatal meaſures into which he had been hurried. His diſtreſſed ſituation he could no longer aſcribe to the rigours of deſtiny, or the malignity of enemies; his own precipitancy and indiſcretion muſt bear the blame of whatever diſaſters ſhould henceforth befall him. The moſt faithful of his adherents, between ſorrow and indignation, were confounded with reflections on what had happened, and what was likely to follow. Seeing every proſpect blaſted, faction triumphant, the diſcontented populace inflamed to a degree of fury, they utterly deſpaired of ſucceſs in a cauſe to whoſe ruin friends and enemies ſeemed equally to conſpire.

The prudence of the king, in his conduct of this affair, nobody pretended to juſtify. The legality of his proceedings met with many and juſt apologies, though generally offered to unwilling ears. No maxim of law, it was ſaid, is more eſtabliſhed, or more univerſally allowed, than that privilege of parliament extends not to treaſon, felony, or breach of peace; nor has either houſe, during former ages, ever pretended in any of thoſe caſes to interpoſe in behalf of its members. Though ſome inconveniences ſhould reſult from the obſervance of this maxim, that would not be ſufficient, without other authority, to aboliſh a principle eſtabliſhed by uninterrupted precedent, and founded on the tacit conſent of the whole legiſlature. But what are the inconveniences ſo much dreaded? The king, on pretence of treaſon, may ſeize any members of the oppoſite faction, and for a time gain to his partiſans the majority of voices. But, if he ſeize only a few, will he not loſe more friends by ſuch a groſs

artifice than he confines enemies? If he ſeize a great number, is not this expedient force open and barefaced? And what remedy at all times againſt ſuch force, but to oppoſe to it a force which is ſuperior? Even allowing that the king intended to employ violence, not authority, for ſeizing the members; though at that time, and ever afterwards, he poſitively aſſerted the contrary; yet will his conduct admit of excuſe. That the hall, where the parliament aſſembles, is an inviolable ſanctuary, was never yet pretended. And, if the commons complain of the affront offered them, by an attempt to arreſt their members in their very preſence, the blame muſt lie entirely on themſelves, who had formerly refuſed compliance with the king's meſſage when he peaceably demanded theſe members. The ſovereign is the great executor of the laws; and his preſence was here legally employed, both in order to prevent oppoſition, and to protect the houſe againſt thoſe inſults which their diſobedience had ſo well merited.

Charles knew to how little purpoſe he ſhould urge theſe reaſons againſt the preſent fury of the commons. He propoſed, therefore, by a meſſage, that they would agree upon a legal method, by which he might carry on his proſecution againſt the members, leſt farther miſunderſtandings happen with regard to privilege. They deſired him to lay the grounds of accuſation before the houſe; and pretended that they muſt firſt judge whether it were proper to give up their members to a legal trial. The king then informed them that he would wave for the preſent all proſecution: by ſucceſſive meſſages, he afterwards offered a pardon to the members; offered to concur in any law that ſhould acquit or ſecure them; offered any reparation to the houſe for the breach of privilege, of which, he acknowledged, they had reaſon to complain.[b] They were reſolved to accept of no ſatisfaction, unleſs he would diſcover his adviſers in that illegal

meaſure: a condition to which they knew that, without rendering himſelf for ever vile and contemptible, he could not poſſibly ſubmit. Meanwhile they continued to thunder againſt the violation of parliamentary privileges, and, by their violent outcries, to inflame the whole nation. The ſecret reaſon of their diſpleaſure, however obvious, they carefully concealed. In the king's accuſation of the members, they plainly ſaw his judgment of late parliamentary proceedings; and every adherent of the ruling faction dreaded the ſame fate, ſhould royal authority be reeſtabliſhed in its ancient luſtre. By the moſt unhappy conduct Charles, while he extremely augmented in his opponents the will, had alſo increaſed the ability of hurting him.

The more to excite the people, whoſe diſpoſitions were already very ſeditious, the expedient of petitioning was renewed. A petition from the county of Buckingham was preſented to the houſe by ſix thouſand ſubſcribers, who promiſed to live and die in defence of the privileges of parliament.[c] The city of London, the county of Eſſex, that of Hertford, Surrey, Berks, imitated the example. A petition from the apprentices was graciouſly received.[d] Nay, one was encouraged from the porters; whoſe numbers amounted, as they ſaid, to fifteen thouſand.[e] The addreſs of that great body contained the ſame articles with all the others; the privileges of parliament, the danger of religion, the rebellion of Ireland, the decay of trade. The porters farther deſired that juſtice might be done upon offenders, as the atrocioufneſs of their crimes had deſerved. And they added that, if ſuch remedies were any longer ſuſpended, they ſhould be forced to extremities not fit to be named,[f] and make good the ſaying, that 'neceſſity has no law.'

Another petition was preſented by ſeveral poor people, or beggars, in the name of many thouſands more; in which the petitioners propoſed, as a remedy for the public miſeries, that thoſe

noble worthies of the houſe of peers, who concur with the happy votes of the commons, may ſeparate themſelves from the reſt, and ſit and vote as one entire body. The commons gave thanks for this petition.[g]

The very women were ſeized with the ſame rage. A brewer's wife, followed by many thouſands of her ſex, brought a petition to the houſe; in which the petitioners expreſſed their terror of the papiſts and prelates, and their dread of like maſſacres, rapes, and outrages, with thoſe which had been committed upon their ſex in Ireland. They had been neceſſitated, they ſaid, to imitate the example of the woman of Tekoah: and they claimed equal right with the men, of declaring, by petition, their ſenſe of the public cauſe; becauſe Chriſt had purchaſed them at as dear a rate, and in the free enjoyment of Chriſt conſiſts equally the happineſs of both ſexes. Pym came to the door of the houſe; and, having told the female zealots that their petition was thankfully accepted, and was preſented in a ſeaſonable time, he begged that their prayers for the ſucceſs of the commons might follow their petition. Such low arts of popularity were affected! And by ſuch illiberal cant were the unhappy people incited to civil diſcord and convulſions!

In the mean time, not only all petitions which favoured the church or monarchy, from whatever hand they came, were diſcouraged; but the petitioners were ſent for, impriſoned, and proſecuted as delinquents: and this unequal conduct was openly avowed and juſtified. Whoever deſire a change, it was ſaid, muſt expreſs their ſentiments; for how, otherwiſe, ſhall they be known? But thoſe who favour the eſtabliſhed government in church or ſtate ſhould not petition, becauſe they already enjoy what they wiſh for.[h]

The king had poſſeſſed a great party in the lower houſe, as appeared in the vote for the remonſtrance; and this party, had

every new cauſe of diſguſt been carefully avoided, would ſoon have become the majority, from the odium attending the violent meaſures embraced by the popular leaders. A great majority he always poſſeſſed in the houſe of peers, even after the biſhops were confined or chaſed away; and this majority could not have been overcome but by outrages which, in the end, would have drawn diſgrace and ruin on thoſe who incited them. By the preſent fury of the people, as by an inundation, were all theſe obſtacles ſwept away, and every rampart of royal authority laid level with the ground. The victory was purſued with impetuoſity by the ſagacious commons, who knew the importance of a favourable moment in all popular commotions. The terror of their authority they extended over the whole nation; and all oppoſition, and even all blame vented in private converſation, were treated as the moſt atrocious crimes by theſe ſevere inquiſitors. Scarcely was it permitted to find fault with the conduct of any particular member, if he made a figure in the houſe; and reflections thrown out on Pym were at this time treated as breaches of privilege. The populace without doors were ready to execute, from the leaſt hint, the will of their leaders; nor was it ſafe for any member to approach either houſe who pretended to control or oppoſe the general torrent. After ſo undiſguiſed a manner was this violence conducted, that Hollis, in a ſpeech to the peers, deſired to know the names of ſuch members as ſhould vote contrary to the ſentiments of the commons;[i] and Pym ſaid, in the lower houſe, that the people muſt not be reſtrained in the expreſſions of their juſt deſires.[k]

By the flight, or terror, or deſpondency, of the king's party, an undiſputed majority remained every where to their opponents; and the bills ſent up by the commons, which had hitherto ſtopped with the peers, and would certainly have been rejected, now paſſed, and were preſented for the royal aſſent. Theſe were,

the preſſing bill with its preamble, and the bill againſt the votes of the biſhops in parliament. The king's authority was at that time reduced to the loweſt ebb. The queen too, being ſecretly threatened with an impeachment, and finding no reſource in her huſband's protection, was preparing to retire into Holland. The rage of the people was, on account of her religion, as well as her ſpirit and activity, univerſally levelled againſt her. Uſage, the moſt contumelious, ſhe had hitherto born with ſilent indignation. The commons, in their fury againſt prieſts, had ſeized her very confeſſor; nor would they releaſe him upon her repeated applications. Even a viſit of the prince to his mother had been openly complained of, and remonſtrances againſt it had been preſented to her.[l] Apprehenſive of attacks ſtill more violent, ſhe was deſirous of facilitating her eſcape; and ſhe prevailed with the king to paſs theſe bills, in hopes of appeaſing for a time the rage of the multitude.[m]

Theſe new conceſſions, however important, the king immediately found to have no other effect than had all the preceding ones; they were made the foundation of demands ſtill more exorbitant. From the facility of his diſpoſition, from the weakneſs of his ſituation, the commons believed that he could now refuſe them nothing. And they regarded the leaſt moment of relaxation, in their invaſion of royal authority, as highly impolitic during the uninterrupted torrent of their ſucceſſes. The very moment they were informed of theſe laſt acquiſitions they affronted the queen, by opening ſome intercepted letters written to her by lord Digby: they carried up an impeachment againſt Herbert, attorney general, for obeying his maſter's commands in accuſing their members.[n] And they proſecuted with freſh vigour their plan of the militia, on which they reſted all future hopes of an uncontrolled authority.

The commons were ſenſible that monarchical government, which, during ſo many ages, had been eſtabliſhed in England, would ſoon regain ſome degree of its former dignity after the preſent tempeſt was overblown; nor would all their new-invented limitations be able totally to ſuppreſs an authority to which the nation had ever been accuſtomed. The ſword alone, to which all human ordinances muſt ſubmit, could guard their acquired power, and fully enſure to them perſonal ſafety againſt the riſing indignation of their ſovereign: this point, therefore, became the chief object of their aims. A large magazine of arms being placed in the town of Hull, they diſpatched thither ſir John Hotham, a gentleman of conſiderable fortune in the neighbourhood, and of an ancient family; and they gave him the authority of governor. They ſent orders to Goring, governor of Portſmouth, to obey no commands but ſuch as he ſhould receive from the parliament. Not content with having obliged the king to diſplace Lunsford, whom he had appointed governor of the tower,[o] they never ceaſed ſoliciting him till he had alſo diſplaced ſir John Biron, a man of unexceptionable character, and had beſtowed that command on ſir John Conyers, in whom alone, they ſaid, they could repoſe confidence. After making a fruitleſs attempt, in which the peers refuſed their concurrence, to give public warning that the people ſhould put themſelves in a poſture of defence againſt the enterpriſes of papiſts and other ill-affected perſons,[p] they now reſolved, by a bold and deciſive ſtroke, to ſeize at once the whole power of the ſword, and to confer it entirely on their own creatures and adherents.

The ſevere votes paſſed in the beginning of this parliament againſt lieutenants and their deputies, for exerciſing powers aſſumed by all their predeceſſors, had totally diſarmed the crown, and had not left in any magiſtrate military authority ſufficient

for the defence and ſecurity of the nation. To remedy this inconvenience now appeared neceſſary. A bill was introduced, and paſſed the two houſes, which reſtored to lieutenants and deputies the ſame powers of which the votes of the commons had bereaved them; but at the ſame time the names of all the lieutenants were inſerted in the bill, and theſe conſiſted entirely of men in whom the parliament could confide. And for their conduct they were accountable, by the expreſs terms of the bill, not to the king, but to the parliament.

The policy purſued by the commons, and which had hitherto ſucceeded to admiration, was to aſtoniſh the king by the boldneſs of their enterpriſes, to intermingle no ſweetneſs with their ſeverity, to employ expreſſions no leſs violent than their pretenſions, and to make him ſenſible in what little eſtimation they held both his perſon and his dignity. To a bill ſo deſtructive of royal authority they prefixed, with an inſolence ſeemingly wanton, a preamble equally diſhonourable to the perſonal character of the king. Theſe are the words: 'Whereas there has been of late a moſt dangerous and deſperate deſign upon the houſe of commons, which we have juſt cauſe to believe an effect of the bloody counſels of papiſts and other ill-affected perſons, who have already raiſed a rebellion in the kingdom of Ireland: and whereas, by reaſon of many diſcoveries, we cannot but fear they will proceed, not only to ſtir up the like rebellions and inſurrections in this kingdom of England, but alſo to back them with forces from abroad,[q] &c.'

Here Charles firſt ventured to put a ſtop to his conceſſions; and that not by a refuſal, but a delay. When this demand was made; a demand which, if granted, the commons juſtly regarded as the laſt they ſhould ever have occaſion to make; he was at Dover, attending the queen and the princeſs of Orange in their embarkation. He replied, that he had not now leiſure to con-

ſider a matter of ſo great importance, and muſt therefore reſpite his anſwer till his return.[r] The parliament inſtantly diſpatched another meſſage to him, with ſolicitations ſtill more importunate. They expreſſed their great grief on account of his majeſty's anſwer to their juſt and neceſſary petition. They repreſented that any delay, during dangers and diſtractions ſo great and preſſing, was not leſs unſatisfactory and deſtructive than an abſolute denial. They inſiſted that it was their duty to ſee put in execution a meaſure ſo neceſſary for public ſafety. And they affirmed that the people, in many counties, had applied to them for that purpoſe, and in ſome places were, of themſelves, and by their own authority, providing againſt thoſe urgent dangers with which they were threatened.[s]

Even after this inſolence the king durſt not venture upon a flat denial. Beſides excepting to the preamble, which threw ſuch diſhonour upon him, and proteſting the innocence of his intentions when he entered the houſe of commons, he only deſired that the military authority, if it were defective, ſhould firſt be conferred upon the crown; and he promiſed to beſtow commiſſions, but ſuch as ſhould be revocable at pleaſure, on the ſame perſons whom the parliament had named in the bill.[t] By a former meſſage he had expreſſed his wiſhes that they would lay before him, in one view, all the conceſſions which they deemed requiſite for the ſettlement of the nation. They pretended that they were expoſed to perils ſo dreadful and imminent, that they had not leiſure for ſuch a work.[u] The expedient propoſed by the king ſeemed a ſufficient remedy during this emergence, and yet maintained the prerogatives of the crown entire and unbroken.

But the intentions of the commons were wide of this purpoſe, and their panics could be cured by one remedy alone. They inſtantly replied that the dangers and diſtempers of the

nation were ſuch as could endure no longer delay; and, unleſs the king ſpeedily complied with their demands, they ſhould be conſtrained, for the ſafety of prince and people, to diſpoſe of the militia by the authority of both houſes, and were reſolved to do it accordingly. They aſſerted that thoſe parts of the kingdom which had, from their own authority, put themſelves in a poſture of defence during theſe prevailing fears and jealouſies, had acted ſuitably to the declarations and directions of both houſes, and conformably to the laws of the kingdom. And, while they thus menaced the king with their power, they invited him to fix his reſidence at London, where they knew he would be entirely at mercy.[w]

'I am ſo much amazed at this meſſage,' ſaid the king in his prompt reply, 'that I know not what to anſwer. You ſpeak of jealouſies and fears! Lay your hands on your hearts, and aſk yourſelves whether I may not likewiſe be diſturbed with fears and jealouſies; and, if ſo, I aſſure you that this meſſage has nothing leſſened them.

'As to the militia, I thought ſo much of it before I gave that anſwer, and am ſo much aſſured that the anſwer is agreeable to what in juſtice or reaſon you can aſk, or I in honour grant, that I ſhall not alter it in any point.

'For my reſidence near you, I wiſh it might be ſafe and honourable, and that I had no cauſe to abſent myſelf from Whitehall: aſk yourſelves whether I have not.[x]

'What would you have? Have I violated your laws? have I denied to paſs any bill for the eaſe and ſecurity of my ſubjects? I do not aſk what you have done for me.

'Have any of my people been tranſported with fears and apprehenſions? I offer as free and general a pardon as yourſelves can deviſe. All this conſidered, there is a judgment of heaven upon this nation if theſe diſtractions continue.

'God ſo deal with me and mine as all my thoughts and intentions are upright for the maintenance of the true proteſtant profeſſion, and for the obſervance and preſervation of the laws; and I hope God will bleſs and aſſiſt thoſe laws [y] for my preſervation.'

No ſooner did the commons deſpair of obtaining the king's conſent to their bill, than they inſtantly voted that thoſe who adviſed his majeſty's anſwer were enemies to the ſtate, and miſchievous projectors againſt the ſafety of the nation; that this denial is of ſuch dangerous conſequence, that, if his majeſty perſiſt in it, it will hazard the peace and tranquillity of all his kingdoms, unleſs ſome ſpeedy remedy be applied by the wiſdom and authority of both houſes; and that ſuch of the ſubjects as have put themſelves in a poſture of defence againſt the common danger have done nothing but what is juſtifiable, and approved by the houſe.[z]

Leſt the people might be averſe to the ſeconding of all theſe uſurpations, they were plied anew with rumours of danger, with the terrors of invaſion, with the dread of Engliſh and Iriſh papiſts; and the moſt unaccountable panics were ſpread throughout the nation. Lord Digby having entered Kingſton in a coach and ſix, attended by a few livery ſervants, the intelligence was conveyed to London; and it was immediately voted that he had appeared in a hoſtile manner, to the terror and affright of his majeſty's ſubjects, and had levied war againſt the king and kingdom.[a] Petitions from all quarters loudly demanded of the parliament to put the nation in a poſture of defence; and the county of Stafford, in particular, expreſſed ſuch dread of an inſurrection among the papiſts, that every man, they ſaid, was conſtrained to ſtand upon his guard, not even daring to go to church unarmed.[b]

KING ARRIVES AT YORK.

THAT the ſame violence, by which he had ſo long been oppreſſed, might not ſtill reach him, and extort his conſent to the militia bill, Charles had reſolved to remove farther from London; and accordingly, taking the prince of Wales and the duke of York along with him, he arrived, by ſlow journies, at York, which he determined for ſome time to make the place of his reſidence. The diſtant parts of the kingdom, being removed from that furious vortex of new principles and opinions which had tranſported the capital, ſtill retained a ſincere regard for the church and monarchy; and the king here found marks of attachment beyond what he had before expected.[c] From all quarters of England the prime nobility and gentry, either perſonally, or by meſſages and letters, expreſſed their duty towards him; and exhorted him to ſave himſelf and them from that ignominious ſlavery with which they were threatened. The ſmall interval of time which had paſſed ſince the fatal accuſation of the members had been ſufficient to open the eyes of many, and to recover them from the aſtoniſhment with which at firſt they had been ſeized. One raſh and paſſionate attempt of the king's ſeemed but a ſmall counterbalance to ſo many acts of deliberate violence, which had been offered to him and every branch of the legiſlature: and, however ſweet the ſound of liberty, many reſolved to adhere to that moderate freedom tranſmitted them from their anceſtors, and now better ſecured by ſuch important conceſſions; rather than, by engaging in a giddy ſearch after more independence, run a manifeſt riſk, either of incurring a cruel ſubjection, or abandoning all law and order.

Charles, finding himſelf ſupported by a conſiderable party in the kingdom, began to ſpeak in a firmer tone, and to retort the

accuſations of the commons with a vigour which he had not before exerted. Notwithſtanding their remonſtrances, and menaces, and inſults, he ſtill perſiſted in refuſing their bill; and they proceeded to frame an ordinance, in which, by the authority of the two houſes, without the king's conſent, they named lieutenants for all the counties, and conferred on them the command of the whole military force, of all the guards, garriſons, and forts of the kingdom. He iſſued proclamations againſt this manifeſt uſurpation; and, as he profeſſed a reſolution ſtrictly to obſerve the law himſelf, ſo was he determined, he ſaid, to oblige every other perſon to pay it a like obedience. The name of the king was ſo eſſential to all laws, and ſo familiar in all acts of executive authority, that the parliament was afraid, had they totally omitted it, that the innovation would be too ſenſible to the people. In all commands, therefore, which they conferred, they bound the perſons to obey the orders of his majeſty, ſignified by both houſes of parliament: and, inventing a diſtinction, hitherto unheard of, between the office and the perſon of the king, thoſe very forces which they employed againſt him they levied in his name, and by his authority.[d]

It is remarkable how much the topics of argument were now reverſed between the parties. The king, while he acknowledged his former error of employing a plea of neceſſity in order to infringe the laws and conſtitution, warned the parliament not to imitate an example on which they threw ſuch violent blame; and the parliament, while they clothed their perſonal fears or ambition under the appearance of national and imminent danger, made unknowingly an apology for the moſt exceptionable part of the king's conduct. That the liberties of the people were no longer expoſed to any peril from royal authority, ſo narrowly circumſcribed, ſo exactly defined, ſo much unſupported by revenue and by military power, might be maintained upon very

plauſible topics: but that the danger, allowing it to have any exiſtence, was not of that kind; great, urgent, inevitable; which diſſolves all law, and levels all limitations; ſeems apparent from the ſimpleſt view of theſe tranſactions. So obvious indeed was the king's preſent inability to invade the conſtitution, that the fears and jealouſies which operated on the people, and puſhed them ſo furiouſly to arms, were undoubtedly not of a civil, but of a religious nature. The diſtempered imaginations of men were agitated with a continual dread of popery, with a horror againſt prelacy, with an antipathy to ceremonies and the liturgy, and with a violent affection for whatever was moſt oppoſite to theſe objects of averſion. The fanatical ſpirit, let looſe, confounded all regard to eaſe, ſafety, intereſt; and diſſolved every moral and civil obligation.[e]

Each party was now willing to throw on its antagoniſt the odium of commencing a civil war; but both of them prepared for an event which they deemed inevitable. To gain the people's favour and good opinion was the chief point on both ſides. Never was there a people leſs corrupted by vice, and more actuated by principle, than the Engliſh during that period: never were there individuals who poſſeſſed more capacity, more courage, more public ſpirit, more diſintereſted zeal. The infuſion of one ingredient, in too large a proportion, had corrupted all theſe noble principles, and converted them into the moſt virulent poiſon. To determine his choice in the approaching conteſts, every man hearkened with avidity to the reaſons propoſed on both ſides. The war of the pen preceded that of the ſword, and daily ſharpened the humours of the oppoſite parties. Beſides private adventurers without number, the king and parliament themſelves carried on the controverſy by meſſages, remonſtrances, and declarations, where the nation was really the party to whom all arguments were addreſſed. Charles had here a double advan-

tage. Not only his cauſe was more favourable, as ſupporting the ancient government in church and ſtate againſt the moſt illegal pretenſions: it was alſo defended with more art and eloquence. Lord Falkland had accepted the office of ſecretary; a man who adorned the pureſt virtue with the richeſt gifts of nature, and the moſt valuable acquiſitions of learning. By him, aſſiſted by the king himſelf, were the memorials of the royal party chiefly compoſed. So ſenſible was Charles of his ſuperiority in this particular, that he took care to diſperſe every where the papers of the parliament together with his own, that the people might be the more enabled, by compariſon, to form a judgment between them: the parliament, while they diſtributed copies of their own, were anxious to ſuppreſs all the king's compoſitions.[f]

To clear up the principles of the conſtitution, to mark the boundaries of the powers intruſted by law to the ſeveral members, to ſhew what great improvements the whole political ſyſtem had received from the king's late conceſſions, to demonſtrate his entire confidence in his people, and his reliance on their affections, to point out the ungrateful returns which had been made him, and the enormous encroachments, inſults, and indignities, to which he had been expoſed; theſe were the topics which, with ſo much juſtneſs of reaſoning and propriety of expreſſion, were inſiſted on in the king's declarations and remonſtrances.[g]

Though theſe writings were of conſequence, and tended much to reconcile the nation to Charles, it was evident that they would not be deciſive, and that keener weapons muſt determine the controverſy. To the ordinance of the parliament concerning the militia the king oppoſed his commiſſions of array. The counties obeyed the one or the other, according as they ſtood affected. And in many counties, where the people were divided, mobbiſh combats and ſkirmiſhes enſued.[h] The parliament, on this occa-

ſion, went ſo far as to vote 'that, when the lords and commons in parliament, which is the ſupreme court of judicature, ſhall declare what the law of the land is, to have this not only queſtioned, but contradicted,[i] is a high breach of their privileges.' This was a plain aſſuming of the whole legiſlative authority, and exerting it in the moſt material article, the government of the militia. Upon the ſame principles they pretended, by a verbal criticiſm on the tenſe of a Latin verb, to raviſh from the king his negative voice in the legiſlature.[k]

The magazine of Hull contained the arms of all the forces levied againſt the Scots; and ſir John Hotham, the governor, though he had accepted of a commiſſion from the parliament, was not thought to be much diſaffected to the church and monarchy. Charles therefore entertained hopes that, if he preſented himſelf at Hull before the commencement of hoſtilities, Hotham, overawed by his preſence, would admit him with his retinue; after which he might eaſily render himſelf maſter of the place. But the governor was on his guard. He ſhut the gates, and refuſed to receive the king, who deſired leave to enter with twenty perſons only. Charles immediately proclaimed him traitor, and complained to the parliament of his diſobedience. The parliament avowed and juſtified the action.[l]

PREPARATIONS FOR CIVIL WAR.

THE county of York levied a guard for the king of ſix hundred men: for the kings of England had hitherto lived among their ſubjects like fathers among their children, and had derived all their ſecurity from the dignity of their character, and from the protection of the laws. The two houſes, though they had already levied a guard for themſelves, had attempted to ſeize all the military power, all the navy, and all the forts of the king-

dom; and had openly employed their authority in every kind of warlike preparations; yet immediately voted 'that the king, ſeduced by wicked counſel, intended to make war againſt his parliament, who, in all their conſultations and actions, had propoſed no other end but the care of his kingdoms, and the performance of all duty and loyalty to his perſon; that this attempt was a breach of the truſt repoſed in him by his people, contrary to his oath, and tending to a diſſolution of the government; and that whoever ſhould aſſiſt him in ſuch a war were traitors by the fundamental laws [m] of the kingdom.'

The armies, which had been every where raiſed on pretence of the ſervice in Ireland, were henceforth more openly inliſted by the parliament for their own purpoſes; and the command of them was given to the earl of Eſſex. In London no leſs than four thouſand men inliſted in one day.[n] And the parliament voted a declaration, which they required every member to ſubſcribe, that they would live and die with their general.

They iſſued orders for bringing in loans of money and plate, in order to maintain forces which ſhould defend the king and both houſes of parliament: for this ſtyle they ſtill preſerved. Within ten days vaſt quantities of plate were brought to their treaſurers. Hardly were there men enow to receive it, or room ſufficient to ſtow it: and many, with regret, were obliged to carry back their offerings, and wait till the treaſurers could find leiſure to receive them. Such zeal animated the pious partiſans of the parliament, eſpecially in the city. The women gave up all the plate and ornaments of their houſes, and even their ſilver thimbles and bodkins, in order to ſupport the good cauſe againſt the malignants.[o]

Meanwhile the ſplendour of the nobility, with which the king was environed, much eclipſed the appearance at Weſtminſter. Lord-keeper Littleton, after ſending the great ſeal before him,

had fled to York. Above forty peers of the firſt rank attended the king,[p] while the houſe of lords ſeldom conſiſted of more than ſixteen members. Near the moiety too of the lower houſe abſented themſelves from counſels which they deemed ſo full of danger. The commons ſent up an impeachment againſt nine peers, for deſerting their duty in parliament. Their own members alſo, who ſhould return to them, they voted not to admit till ſatisfied concerning the reaſon of their abſence.

Charles made a declaration to the peers who attended him, that he expected from them no obedience to any commands which were not warranted by the laws of the land. The peers anſwered this declaration by a proteſt, in which they declared their reſolution to obey no commands but ſuch as were warranted by that authority.[q] By theſe deliberate engagements, ſo worthy of an Engliſh prince and Engliſh nobility, they meant to confound the furious and tumultuary reſolutions taken by the parliament.

The queen, diſpoſing of the crown jewels in Holland, had been enabled to purchaſe a cargo of arms and ammunition. Part of theſe, after eſcaping many perils, arrived ſafely to the king. His preparations were not near ſo forward as thoſe of the parliament. In order to remove all jealouſy, he had reſolved that their uſurpations and illegal pretenſions ſhould be apparent to the whole world; and thought that to recover the confidence of the people was a point much more material to his intereſt than the collecting of any magazines, ſtores, or armies, which might breed apprehenſions of violent or illegal counſels. But the urgent neceſſity of his ſituation no longer admitted of delay: he now prepared himſelf for defence. With a ſpirit, activity, and addreſs, which neither the one party apprehended, nor the other expected, he employed all the advantages which remained to him, and rouſed up his adherents to arms. The reſources of

this prince's genius increaſed in proportion to his difficulties; and he never appeared greater than when plunged into the deepeſt perils and diſtreſſes. From the mixed character, indeed, of Charles, aroſe in part the misfortunes in which England was at this time involved. His political errors, or rather weakneſſes, had raiſed him inveterate enemies: his eminent moral virtues had procured him zealous partiſans: and between the hatred of the one and the affections of the other was the nation agitated with the moſt violent convulſions.

That the king might deſpair of all compoſition, the parliament ſent him the conditions on which they were willing to come to an agreement. Their demands, contained in nineteen propoſitions, amounted to a total abolition of monarchical authority. They required that no man ſhould remain in the council who was not agreeable to parliament; that no deed of the king's ſhould have validity, unleſs it paſſed the council, and was atteſted under their hand; that all the officers of ſtate and principal judges ſhould be choſen with conſent of parliament, and enjoy their offices for life; that none of the royal family ſhould marry without conſent of parliament or council; that the laws ſhould be executed againſt catholics; that the votes of popiſh lords ſhould be excluded; that the reformation of the liturgy and church government ſhould have place according to advice of parliament; that the ordinance, with regard to the militia, be ſubmitted to; that the juſtice of parliament paſs upon all delinquents; that a general pardon be granted, with ſuch exceptions as ſhould be adviſed by parliament; that the forts and caſtles be diſpoſed of by conſent of parliament; and that no peer be made but with conſent of both houſes.[r]

'Should I grant theſe demands,' ſaid the king in reply, 'I may be waited on bareheaded; I may have my hand kiſſed; the title of Majeſty may be continued to me; and "The king's authority,

ſignified by both houſes," may ſtill be the ſtyle of your commands; I may have ſwords and maces carried before me, and pleaſe myſelf with the ſight of a crown and ſceptre (though even theſe twigs would not long flouriſh when the ſtock upon which they grew was dead): but, as to true and real power, I ſhould remain but the outſide, but the picture,[s] but the ſign of a king.' War on any terms was eſteemed, by the king and all his counſellors, preferable to ſo ignominious a peace. Charles accordingly reſolved to ſupport his authority by arms. His towns, he ſaid, were taken from him, his ſhips, his arms, his money; but there ſtill remained to him a good cauſe, and the hearts of his loyal ſubjects, which, with God's bleſſing, he doubted not, would recover all the reſt. Collecting therefore ſome forces, he advanced ſouthwards; and at Nottingham he erected his royal ſtandard, the open ſignal of diſcord and civil war throughout the kingdom.

CHAPTER LVI.

CHARLES I.

COMMENCEMENT OF THE CIVIL WAR....STATE OF PARTIES....BATTLE OF EDGE-HILL....NEGOCIATION AT OXFORD....VICTORIES OF THE ROYALISTS IN THE WEST....BATTLE OF STRATTON....OF LANSDOWN....OF ROUNDWAY-DOWN....DEATH OF HAMBDEN....BRISTOL TAKEN....SIEGE OF GLOUCESTER....BATTLE OF NEWBURY....ACTIONS IN THE NORTH OF ENGLAND....SOLEMN LEAGUE AND COVENANT....ARMING OF THE SCOTS....STATE OF IRELAND.

COMMENCEMENT OF THE CIVIL WAR. 1642.

WHEN two names, ſo ſacred in the Engliſh conſtitution as thoſe of King and Parliament, were placed in oppoſition, no wonder the people were divided in their choice, and were agitated with the moſt violent animoſities and factions.

STATE OF PARTIES.

THE nobility, and more conſiderable gentry, dreading a total confuſion of rank from the fury of the populace, inliſted themſelves in defence of the monarch, from whom they received, and to whom they communicated, their luſtre. Animated with the

ſpirit of loyalty, derived from their anceſtors, they adhered to the ancient principles of the conſtitution, and valued themſelves on exerting the maxims, as well as inheriting the poſſeſſions, of the old Engliſh families. And, while they paſſed their time moſtly at their country ſeats, they were ſurpriſed to hear of opinions prevailing with which they had ever been unacquainted, and which implied not a limitation, but an abolition almoſt total, of monarchical authority.

The city of London, on the other hand, and moſt of the great corporations, took part with the parliament, and adopted with zeal thoſe democratical principles on which the pretenſions of that aſſembly were founded. The government of cities, which even under abſolute monarchies is commonly republican, inclined them to this party: the ſmall hereditary influence, which can be retained over the induſtrious inhabitants of towns; the natural independence of citizens; and the force of popular currents over thoſe more numerous aſſociations of mankind; all theſe cauſes gave, there, authority to the new principles propagated throughout the nation. Many families too, which had lately been enriched by commerce, ſaw with indignation that, notwithſtanding their opulence, they could not raiſe themſelves to a level with the ancient gentry; they therefore adhered to a power by whoſe ſucceſs they hoped to acquire rank and conſideration.[t] And the new ſplendour and glory of the Dutch commonwealth, where liberty ſo happily ſupported induſtry, made the commercial part of the nation deſire to ſee a like form of government eſtabliſhed in England.

The genius of the two religions, ſo cloſely at this time interwoven with politics, correſponded exactly to theſe diviſions. The preſbyterian religion was new, republican, and ſuited to the genius of the populace; the other had an air of greater ſhew and ornament, was eſtabliſhed on ancient authority, and bore an

affinity to the kingly and ariſtocratical parts of the conſtitution. The devotees of preſbytery became of courſe zealous partiſans of the parliament; the friends of the epiſcopal church valued themſelves on defending the rights of monarchy.

Some men alſo there were of liberal education, who, being either careleſs or ignorant of thoſe diſputes bandied about by the clergy of both ſides, aſpired to nothing but an eaſy enjoyment of life, amidſt the jovial entertainment and ſocial intercourſe of their companions. All theſe flocked to the king's ſtandard, where they breathed a freer air, and were exempted from that rigid preciſeneſs and melancholy auſterity which reigned among the parliamentary party.

Never was a quarrel more unequal than ſeemed at firſt that between the contending parties; almoſt every advantage lay againſt the royal cauſe. The king's revenue had been ſeized, from the beginning, by the parliament, who iſſued out to him, from time to time, ſmall ſums for his preſent ſubſiſtence; and as ſoon as he withdrew to York they totally ſtopped all payments. London and all the ſeaports, except Newcaſtle, being in their hands, the cuſtoms yielded them a certain and conſiderable ſupply of money; and all contributions, loans, and impoſitions, were more eaſily raiſed from the cities which poſſeſſed the ready money, and where men lived under their inſpection, than they could be levied by the king in thoſe open countries, which after ſome time declared for him.

The ſeamen naturally followed the diſpoſition of the ſeaports to which they belonged: and the earl of Northumberland, lord admiral, having embraced the party of the parliament, had appointed, at their deſire, the earl of Warwick to be his lieutenant; who at once eſtabliſhed his authority in the fleet, and kept the entire dominion of the ſea in the hands of that aſſembly.

All the magazines of arms and ammunition were from the firſt ſeized by the parliament; and their fleet intercepted the greater part of thoſe which were ſent by the queen from Holland. The king was obliged, in order to arm his followers, to borrow the weapons of the train-bands, under promiſe of reſtoring them as ſoon as peace ſhould be ſettled in the kingdom.

The veneration for parliaments was at this time extreme throughout the nation.[u] The cuſtom of reviling thoſe aſſemblies for corruption, as it had no pretence, ſo was it unknown, during all former ages. Few or no inſtances of their encroaching ambition or ſelfiſh claims had hitherto been obſerved. Men conſidered the houſe of commons in no other light than as the repreſentatives of the nation, whoſe intereſt was the ſame with that of the public, who were the eternal guardians of law and liberty, and whom no motive, but the neceſſary defence of the people, could ever engage in an oppoſition to the crown. The torrent, therefore, of general affection ran to the parliament. What is the great advantage of popularity, the privilege of affixing epithets, fell of courſe to that party. The king's adherents were the 'Wicked' and the 'Malignant:' their adverſaries were the 'Godly,' and the 'Well-affected.' And, as the force of the cities was more united than that of the country, and at once gave ſhelter and protection to the parliamentary party, who could eaſily ſuppreſs the royaliſts in their neighbourhood, almoſt the whole kingdom, at the commencement of the war, ſeemed to be in the hands of the parliament.[w]

What alone gave the king ſome compenſation for all the advantages poſſeſſed by his adverſaries, was the nature and qualities of his adherents. More bravery and activity were hoped for from the generous ſpirit of the nobles and gentry than from the baſe diſpoſition of the multitude. And, as the men of eſtates at their own expenſe levied and armed their tenants, beſides an

attachment to their maſters, greater force and courage were to be expected in theſe ruſtic troops than in the vicious and enervated populace of cities.

The neighbouring ſtates of Europe, being engaged in violent wars, little intereſted themſelves in theſe civil commotions; and this iſland enjoyed the ſingular advantage (for ſuch it ſurely was) of fighting out its own quarrels without the interpoſition of foreigners. France, from policy, had fomented the firſt diſorders in Scotland; had ſent over arms to the Iriſh rebels, and continued to give countenance to the Engliſh parliament: Spain, from bigotry, furniſhed the Iriſh with ſome ſupplies of money and arms. The prince of Orange, cloſely allied to the crown, encouraged Engliſh officers, who ſerved in the Low Countries, to enliſt in the king's army. The Scottiſh officers, who had been formed in Germany, and in the late commotions, chiefly took part with the parliament.

The contempt entertained by the parliament for the king's party was ſo great, that it was the chief cauſe of puſhing matters to ſuch extremities againſt him; and many believed that he never would attempt reſiſtance, but muſt ſoon yield to the pretenſions, however enormous, of the two houſes. Even after his ſtandard was erected men could not be brought to apprehend the danger of a civil war; nor was it imagined that he would have the imprudence to enrage his implacable enemies, and render his own condition more deſperate, by oppoſing a force which was ſo much ſuperior. The low condition in which he appeared at Nottingham confirmed all theſe hopes. His artillery, though far from numerous, had been left at York, for want of horſes to tranſport it. Beſides the trained bands of the county, raiſed by ſir John Digby the ſheriff, he had not gotten together above three hundred infantry. His cavalry, in which conſiſted his chief ſtrength, exceeded not eight hundred, and were very ill pro-

vided with arms. The forces of the parliament lay at Northampton, within a few days march of him; and conſiſted of above ſix thouſand men, well armed and well appointed. Had theſe troops advanced upon him, they muſt ſoon have diſſipated the ſmall force which he had aſſembled: by purſuing him in his retreat, they had ſo diſcredited his cauſe, and diſcouraged his adherents, as to have for ever prevented his collecting an army able to make head againſt them. But the earl of Eſſex, the parliamentary general, had not yet received any orders from his maſters.[x] What rendered them ſo backward, after ſuch precipitate ſteps as they had formerly taken, is not eaſily explained. It is probable that in the extreme diſtreſs of his party conſiſted the preſent ſafety of the king. The parliament hoped that the royaliſts, ſenſible of their feeble condition, and convinced of their ſlender reſources, would diſperſe of themſelves, and leave their adverſaries a victory, ſo much the more complete and ſecure, as it would be gained without the appearance of force, and without bloodſhed. Perhaps too, when it became neceſſary to make the concluding ſtep, and offer barefaced violence to their ſovereign, their ſcruples and apprehenſions, though not ſufficient to overcome their reſolutions, were able to retard the execution of them.[y]

Sir Jacob Aſtley, whom the king had appointed major-general of his intended army, told him that he could not give him aſſurance but he might be taken out of his bed, if the rebels ſhould make a briſk attempt to that purpoſe. All the king's attendants were full of well-grounded apprehenſions. Some of the lords having deſired that a meſſage might be ſent to the parliament, with overtures to a treaty, Charles, who well knew that an accommodation, in his preſent condition, meant nothing but a total ſubmiſſion, haſtily broke up the council, left this propoſal ſhould be farther inſiſted on. But next day the earl of

Southampton, whom no one could ſuſpect of baſe or timid ſentiments, having offered the ſame advice in council, it was hearkened to with more coolneſs and deliberation. He urged that, though ſuch a ſtep would probably increaſe the inſolence of the parliament, this was ſo far from being an objection, that ſuch diſpoſitions muſt neceſſarily turn to the advantage of the royal cauſe; that, if they refuſed to treat, which was more probable, the very ſound of peace was ſo popular, that nothing could more diſguſt the nation than ſuch haughty ſeverity; that, if they admitted of a treaty, their propoſals, conſidering their preſent ſituation, would be ſo exorbitant as to open the eyes of their moſt partial adherents, and turn the general favour to the king's party; and that, at worſt, time might be gained by this expedient, and a delay of the imminent danger with which the king was at preſent threatened.[z]

Charles, on aſſembling the council, had declared againſt all advances towards an accommodation; and had ſaid that, having now nothing left him but his honour, this laſt poſſeſſion he was reſolved ſteadily to preſerve, and rather to periſh than yield any farther to the pretenſions of his enemies:[a] but, by the unanimous deſire of the counſellors, he was prevailed on to embrace Southampton's advice. That nobleman, therefore, with ſir John Colepeper and ſir William Uvedale, was diſpatched to London, with offers of a treaty.[b] The manner in which they were received gave little hopes of ſucceſs. Southampton was not allowed by the peers to take his ſeat; but was ordered to deliver his meſſage to the uſher, and immediately to depart the city. The commons ſhewed little better diſpoſition towards Colepeper and Uvedale.[c] Both houſes replied that they could admit of no treaty with the king till he took down his ſtandard, and recalled his proclamations, in which the parliament ſuppoſed themſelves to be declared traitors. The king, by a ſecond meſſage, denied

any ſuch intention againſt the two houſes; but offered to recall theſe proclamations, provided the parliament agreed to recall theirs, in which his adherents were declared traitors. They deſired him, in return, to diſmiſs his forces, to reſide with his parliament, and to give up delinquents to their juſtice; that is, abandon himſelf and his friends to the mercy of his enemies.[d] Both parties flattered themſelves that, by theſe meſſages and replies, they had gained the ends which they propoſed.[e] The king believed that the people were made ſufficiently ſenſible of the parliament's inſolence and averſion to peace: the parliament intended, by this vigour in their reſolutions, to ſupport the vigour of their military operations.

The courage of the parliament was increaſed, beſides their great ſuperiority of force, by two recent events, which had happened in their favour. Goring was governor of Portſmouth, the beſt fortified town in the kingdom, and by its ſituation of great importance. This man ſeemed to have rendered himſelf an implacable enemy to the king, by betraying, probably magnifying, the ſecret cabals of the army; and the parliament thought that his fidelity to them might, on that account, be entirely depended on. But the ſame levity of mind ſtill attended him, and the ſame diſregard to engagements and profeſſions. He took underhand his meaſures with the court, and declared againſt the parliament. But, though he had been ſufficiently ſupplied with money, and long before knew his danger, ſo ſmall was his foreſight that he had left the place entirely deſtitute of proviſions, and in a few days he was obliged to ſurrender to the parliamentary forces.[f]

The marquis of Hertford was a nobleman of the greateſt quality and character in the kingdom, and, equally with the king, deſcended, by a female, from Henry VII. During the reign of James he had attempted, without having obtained the conſent

of that monarch, to marry Arabella Stuart, a lady nearly related to the crown; and, upon diſcovery of his intentions, had been obliged for ſome time to fly the kingdom. Ever after he was looked on with an evil eye at court, from which, in a great meaſure, he withdrew; and, living in an independent manner, he addicted himſelf entirely to literary occupations and amuſements. In proportion as the king declined in popularity Hertford's character flouriſhed with the people; and, when this parliament aſſembled, no nobleman poſſeſſed more general favour and authority. By his ſagacity he ſoon perceived that the commons, not content with correcting the abuſes of government, were carried, by the natural current of power and popularity, into the oppoſite extreme, and were committing violations, no leſs dangerous than the former, upon the Engliſh conſtitution. Immediately he devoted himſelf to the ſupport of the king's falling authority, and was prevailed with to be governor to the young prince, and reſide at court, to which, in the eyes of all men, he gave, by his preſence, a new luſtre and authority. So high was his character for mildneſs and humanity, that he ſtill preſerved, by means of theſe popular virtues, the public favour; and every one was ſenſible of the true motive of his change. Notwithſtanding his habits of eaſe and ſtudy, he now exerted himſelf in raiſing an army for the king; and, being named general of the weſtern counties, where his intereſt chiefly lay, he began to aſſemble forces in Somerſetſhire. By the aſſiſtance of lord Seymour, lord Paulet, John Digby, ſon of the earl of Briſtol, ſir Francis Hawley, and others, he had drawn together ſome appearance of an army; when the parliament, apprehenſive of the danger, ſent the earl of Bedford with a conſiderable force againſt him. On his approach Hertford was obliged to retire into Sherborne caſtle; and, finding that place untenable, he himſelf paſſed over into Wales, leaving ſir Ralph Hopton, ſir John

Berkeley, Digby, and other officers, with their horſe, conſiſting of about a hundred and twenty, to march into Cornwall, in hopes of finding that country better prepared for their reception.[g]

All the diſperſed bodies of the parliamentary army were now ordered to march to Northampton; and the earl of Eſſex, who had joined them, found the whole amount to fifteen thouſand men.[h] The king, though his camp had been gradually reinforced from all quarters, was ſenſible that he had no army which could cope with ſo formidable a force; and he thought it prudent, by ſlow marches, to retire to Derby, thence to Shrewſbury, in order to countenance the levies which his friends were making in thoſe parts. At Wellington, a day's march from Shrewſbury, he made a rendezvous of all his forces, and cauſed his military orders to be read at the head of every regiment. That he might bind himſelf by reciprocal ties, he ſolemnly made the following declaration before his whole army:

'I do promiſe, in the preſence of Almighty God, and as I hope for his bleſſing and protection, that I will, to the utmoſt of my power, defend and maintain the true reformed proteſtant religion, eſtabliſhed in the church of England, and, by the grace of God, in the ſame will live and die.

'I deſire that the laws may ever be the meaſure of my government, and that the liberty and property of the ſubject may be preſerved by them with the ſame care as my own juſt rights. And, if it pleaſe God, by his bleſſing on this army, raiſed for my neceſſary defence, to preſerve me from the preſent rebellion, I do ſolemnly and faithfully promiſe, in the ſight of God, to maintain the juſt privileges and freedom of parliament, and to govern, to the utmoſt of my power, by the known ſtatutes and cuſtoms of the kingdom, and particularly to obſerve inviolably the laws to which I have given my conſent this parliament.

Meanwhile, if this emergence, and the great neceſſity to which I am driven, beget any violation of law, I hope it ſhall be imputed by God and man to the authors of this war; not to me, who have ſo earneſtly laboured to preſerve the peace of the kingdom.

'When I willingly fail in theſe particulars, I ſhall expect no aid or relief from man, nor any protection from above: but in this reſolution I hope for the cheerful aſſiſtance of all good men, and am confident ' of the bleſſing of heaven.'

Though the concurrence of the church undoubtedly increaſed the king's adherents, it may ſafely be affirmed that the high monarchical doctrines, ſo much inculcated by the clergy, had never done him any real ſervice. The bulk of that generous train of nobility and gentry who now attended the king in his diſtreſſes breathed the ſpirit of liberty as well as of loyalty; and, in the hopes alone of his ſubmitting to a legal and limited government, were they willing, in his defence, to ſacrifice their lives and fortunes.

While the king's army lay at Shrewſbury, and he was employing himſelf in collecting money, which he received, though in no great quantities, by voluntary contributions, and by the plate of the univerſities, which was ſent him, the news arrived of an action, the firſt which had happened in theſe wars, and where he was ſucceſsful.

On the appearance of commotions in England the princes Rupert and Maurice, ſons of the unfortunate Palatine, had offered their ſervice to the king; and the former at that time commanded a body of horſe, which had been ſent to Worceſter, in order to watch the motions of Eſſex, who was marching towards that city. No ſooner had the prince arrived than he ſaw ſome cavalry of the enemy approaching the gates. Without delay he briſkly attacked them, as they were defiling from a lane,

and forming themſelves. Colonel Sandys, who led them, and who fought with valour, being mortally wounded, fell from his horſe. The whole party was routed, and was purſued above a mile. The prince, hearing of Eſſex's approach, returned to the main body.[k] This rencounter, though in itſelf of ſmall importance, mightily raiſed the reputation of the royaliſts, and acquired to prince Rupert the character of promptitude and courage; qualities which he eminently diſplayed during the whole courſe of the war.

The king, on muſtering his army, found it amount to ten thouſand men. The earl of Lindeſey, who in his youth had ſought experience of military ſervice in the Low Countries,[l] was general; prince Rupert commanded the horſe; ſir Jacob Aſtley the foot; ſir Arthur Aſton the dragoons; ſir John Heydon the artillery. Lord Bernard Stuart was at the head of a troop of guards. The eſtates and revenue of this ſingle troop, according to lord Clarendon's computation, were at leaſt equal to thoſe of all the members who, at the commencement of the war, voted in both houſes. Their ſervants, under the command of ſir William Killigrew, made another troop, and always marched with their maſters.[m]

With this army the king left Shrewſbury, reſolving to give battle as ſoon as poſſible to the army of the parliament, which he heard was continually augmenting by ſupplies from London. In order to bring on an action, he directed his march towards the capital, which he knew the enemy would not abandon to him. Eſſex had now received his inſtructions. The import of them was to preſent a moſt humble petition to the king, and to reſcue him and the royal family from thoſe deſperate malignants who had ſeized their perſons.[n] Two days after the departure of the royaliſts from Shrewſbury he left Worceſter. Though it be commonly eaſy in civil wars to get intelligence, the armies were

within ſix miles of each other ere either of the generals was acquainted with the approach of his enemy. Shrewſbury and Worceſter, the places from which they ſet out, are not above twenty miles diſtant; yet had the two armies marched ten days in this mutual ignorance. So much had military ſkill, during a long peace, decayed in England.°

BATTLE OF EDGE-HILL.

THE royal army lay near Banbury; that of the parliament at Keinton, in the county of Warwick. Prince Rupert ſent intelligence of the enemy's approach. Though the day was far advanced, the king reſolved upon the attack: Eſſex drew up his men to receive him. Sir Faithful Forteſcue, who had levied a troop for the Iriſh wars, had been obliged to ſerve in the parliamentary army, and was now poſted on the left wing, commanded by Ramſay, a Scotchman. No ſooner did the king's army approach than Forteſcue, ordering his troop to diſcharge their piſtols in the ground, put himſelf under the command of prince Rupert. Partly from this incident, partly from the furious ſhock made upon them by the prince, that whole wing of cavalry immediately fled, and were purſued for two miles. The right wing of the parliament's army had no better ſucceſs: chaſed from their ground by Wilmot and ſir Arthur Aſton, they alſo took to flight. The king's body of reſerve, commanded by ſir John Biron, judging, like raw ſoldiers, that all was over, and impatient to have ſome ſhare in the action, heedleſsly followed the chaſe, which their left wing had precipitately led them. Sir William Balfour, who commanded Eſſex's reſerve, perceived the advantage: he wheeled about upon the king's infantry, now quite unfurniſhed of horſe; and he made great havoc among them. Lindeſey, the general, was mortally wounded, and taken pri-

ſooner. His ſon, endeavouring his reſcue, fell likewiſe into the enemy's hands. Sir Edmund Verney, who carried the king's ſtandard, was killed, and the ſtandard taken; but it was afterwards recovered. In this ſituation prince Rupert, on his return, found affairs. Every thing bore the appearance of a defeat, inſtead of a victory, with which he had haſtily flattered himſelf. Some adviſed the king to leave the field; but that prince rejected ſuch puſillanimous counſel. The two armies faced each other for ſome time, and neither of them retained courage ſufficient for a new attack. All night they lay under arms; and next morning found themſelves in ſight of each other. General, as well as ſoldier, on both ſides, ſeemed averſe to renew the battle. Eſſex firſt drew off, and retired to Warwick: the king returned to his former quarters. Five thouſand men are ſaid to have been found dead on the field of battle; and the loſs of the two armies, as far as we can judge by the oppoſite accounts, was nearly equal. Such was the event of this firſt battle, fought at Keinton, or Edge-hill.[p]

Some of Eſſex's horſe, who had been driven off the field in the beginning of the action, flying to a great diſtance, carried news of a total defeat, and ſtruck a mighty terror into the city and parliament. After a few days a more juſt account arrived; and then the parliament pretended to a complete victory.[q] The king alſo, on his part, was not wanting to diſplay his advantages; though, except the taking of Banbury a few days after, he had few marks of victory to boaſt of. He continued his march, and took poſſeſſion of Oxford, the only town in his dominions which was altogether at his devotion.

After the royal army was recruited and refreſhed, as the weather ſtill continued favourable, it was again put in motion. A party of horſe approached to Reading, of which Martin was appointed governor by the parliament. Both governor and garriſon

were ſeized with a panic, and fled with precipitation to London. The king, hoping that every thing would yield before him, advanced with his whole army to Reading. The parliament, who, inſtead of their fond expectations that Charles would never be able to collect an army, had now the proſpect of a civil war, bloody, and of uncertain event; were farther alarmed at the near approach of the royal army, while their own forces lay at a diſtance. They voted an addreſs for a treaty. The king's nearer approach to Colebroke quickened their advances for peace. Northumberland and Pembroke, with three commoners, preſented the addreſs of both houſes; in which they beſought his majeſty to appoint ſome convenient place where he might reſide till committees could attend him with propoſals. The king named Windſor, and deſired that their garriſon might be removed, and his own troops admitted into that caſtle.[r]

Meanwhile Eſſex, advancing by haſty marches, had arrived at London. But neither the preſence of his army, nor the precarious hopes of a treaty, retarded the king's approaches. Charles attacked, at Brentford, two regiments quartered there, and after a ſharp action beat them from that village, and took about five hundred priſoners. The parliament had ſent orders to forbear all hoſtilities, and had expected the ſame from the king, though no ſtipulations to that purpoſe had been mentioned by their commiſſioners. Loud complaints were raiſed againſt this attack, as if it had been the moſt apparent perfidy,[s] and breach of treaty. Inflamed with reſentment, as well as anxious for its own ſafety, the city marched its trained bands in excellent order, and joined the army under Eſſex. The parliamentary army now amounted to above twenty-four thouſand men, and was much ſuperior to that of the king.[t] After both armies had faced each other for ſome time, Charles drew off and retired to Reading, thence to Oxford.

While the principal armies on both ſides were kept in inaction by the winter ſeaſon, the king and parliament were employed in real preparations for war, and in ſeeming advances towards peace. By means of contributions or aſſeſſments, levied by the horſe, Charles maintained his cavalry; by loans and voluntary preſents, ſent him from all parts of the kingdom, he ſupported his infantry: but the ſupplies were ſtill very unequal to the neceſſities under which he laboured.[u] The parliament had much greater reſources for money; and had, by conſequence, every military preparation in much greater order and abundance. Beſides an impoſition levied in London, amounitng to the five-and-twentieth part of every one's ſubſtance, they eſtabliſhed on that city a weekly aſſeſſment of ten thouſand pounds, and another of twenty-three thouſand five hundred and eighteen, on the reſt of the kingdom.[w] And, as their authority was at preſent eſtabliſhed in moſt counties, they levied theſe taxes with regularity; though they amounted to ſums much greater than the nation had formerly paid to the public.

NEGOCIATION AT OXFORD. 1643.

THE king and parliament ſent reciprocally their demands; and a treaty commenced, but without any ceſſation of hoſtilities, as had at firſt been propoſed. The earl of Northumberland, and four members of the lower houſe, came to Oxford as commiſſioners.[x] In this treaty the king perpetually inſiſted on the reeſtabliſhment of the crown in its legal powers, and on the reſtoration of his conſtitutional prerogative:[y] the parliament ſtill required new conceſſions, and a farther abridgment of regal authority, as a more effectual remedy to their fears and jealouſies. Finding the king ſupported by more forces, and a greater party than they had ever looked for, they ſeemingly abated ſomewhat

of thoſe extravagant conditions which they had formerly claimed; but their demands were ſtill too high for an equal treaty. Beſides other articles, to which a complete victory alone could entitle them, they required the king in expreſs terms utterly to aboliſh epiſcopacy; a demand which before they had only inſinuated: and they required that all other eccleſiaſtical controverſies ſhould be determined by their aſſembly of divines; that is, in the manner the moſt repugnant to the inclinations of the king and all his partiſans. They inſiſted that he ſhould ſubmit to the puniſhment of his moſt faithful adherents: and they deſired him to acquieſce in their ſettlement of the militia, and to confer on their adherents the entire power of the ſword. In anſwer to the king's propoſal that his magazines, towns, forts, and ſhips, ſhould be reſtored to him, the parliament required that they ſhould be put into ſuch hands as they could confide in.[z] The nineteen propoſitions, which they formerly ſent to the king, ſhewed their inclination to aboliſh monarchy; they only aſked at preſent the power of doing it. And, having now, in the eye of the law, been guilty of treaſon, by levying war againſt their ſovereign, it is evident that their fears and jealouſies muſt on that account have multiplied extremely, and have rendered their perſonal ſafety, which they interwove with the ſafety of the nation, ſtill more incompatible with the authority of the monarch. Though the gentleneſs and lenity of the king's temper might have enſured them againſt ſchemes of future vengeance, they preferred, as is no doubt natural, an independent ſecurity, accompanied too with ſovereign power, to the ſtation of ſubjects, and that not entirely guarded from all apprehenſions of danger.[a]

The conferences went no farther than the firſt demand on each ſide. The parliament, finding that there was no likelihood of coming to any agreement, ſuddenly recalled their commiſſioners.

A military enterpriſe, which they had concerted early in the ſpring, was immediately undertaken. Reading, the garriſon of the king's which lay neareſt to London, was eſteemed a place of conſiderable ſtrength in that age, when the art of attacking towns was not well underſtood in Europe, and was totally unknown in England. The earl of Eſſex ſat down before this place with an army of eighteen thouſand men, and carried on the ſiege by regular approaches. Sir Arthur Aſton, the governor, being wounded, colonel Fielding ſucceeded to the command. In a little time the town was found to be no longer in a condition of defence; and, though the king approached, with an intention of obliging Eſſex to raiſe the ſiege, the diſpoſition of the parliamentary army was ſo ſtrong as rendered the deſign impracticable. Fielding, therefore, was contented to yield the town, on condition that he ſhould bring off all the garriſon with the honours of war, and deliver up deſerters. This laſt article was thought ſo ignominious and ſo prejudicial to the king's intereſts, that the governor was tried by a council of war, and condemned to loſe his life for conſenting to it. His ſentence was afterwards remitted by the king.[b]

Eſſex's army had been fully ſupplied with all neceſſaries from London; even many ſuperfluities and luxuries were ſent them by the care of the zealous citizens: yet the hardſhips which they ſuffered from the ſiege, during ſo early a ſeaſon, had weakened them to ſuch a degree, that they were no longer fit for any new enterpriſe. And the two armies for ſome time encamped in the neighbourhood of each other, without attempting on either ſide any action of moment.

Beſides the military operations between the principal armies, which lay in the centre of England, each county, each town, each family almoſt, was divided within itſelf; and the moſt violent convulſions ſhook the whole kingdom. Throughout the

winter continual efforts had every where been made by each party to ſurmount its antagoniſt; and the Engliſh, rouſed from the lethargy of peace, with eager though unſkilful hands, employed againſt their fellow citizens their long neglected weapons. The furious zeal for liberty and preſbyterian diſcipline, which had hitherto run uncontrolled throughout the nation, now at laſt excited an equal ardour for monarchy and epiſcopacy; when the intention of aboliſhing theſe ancient modes of government was openly avowed by the parliament. Conventions for neutrality, though in ſeveral counties they had been entered into, and confirmed by the moſt ſolemn oaths, yet, being voted illegal by the two houſes, were immediately broken;[c] and the fire of diſcord was ſpread into every quarter. The altercation of diſcourſe, the controverſies of the pen, but, above all, the declamations of the pulpit, indiſpoſed the minds of men towards each other, and propagated the blind rage of party.[d] Fierce, however, and inflamed as were the diſpoſitions of the Engliſh, by a war both civil and religious, that great deſtroyer of humanity, all the events of this period are leſs diſtinguiſhed by atrocious deeds, either of treachery or cruelty, than were ever any inteſtine diſcords which had ſo long a continuance. A circumſtance which will be found to reflect great praiſe on the national character of that people, now ſo unhappily rouſed to arms.

In the north lord Fairfax commanded for the parliament, the earl of Newcaſtle for the king. The latter nobleman began thoſe aſſociations which were afterwards ſo much practiſed in other parts of the kingdom. He united in a league for the king the counties of Northumberland, Cumberland, Weſtmoreland, and the biſhopric; and engaged, ſome time after, other counties in the ſame aſſociation. Finding that Fairfax, aſſiſted by Hotham and the garriſon of Hull, was making progreſs in the ſouthern

parts of Yorkſhire, he advanced with a body of four thouſand men, and took poſſeſſion of York. At Tadcaſter he attacked the forces of the parliament, and diſlodged them: but his victory was not deciſive. In other rencounters he obtained ſome inconſiderable advantages. But the chief benefit which reſulted from his enterpriſes was, the eſtabliſhing of the king's authority in all the northern provinces.

In another part of the kingdom lord Broke was killed by a ſhot, while he was taking poſſeſſion of Litchfield for the parliament.[e] After a ſhort combat, near Stafford, between the earl of Northampton and ſir John Gell, the former, who commanded the king's forces, was killed while he fought with great valour; and his forces, diſcouraged by his death, though they had obtained the advantage in the action, retreated into the town of Stafford.[f]

Sir William Waller began to diſtinguiſh himſelf among the generals of the parliament. Active and indefatigable in his operations, rapid and enterpriſing, he was fitted by his genius to the nature of the war; which, being managed by raw troops, conducted by unexperienced commanders, afforded ſucceſs to every bold and ſudden undertaking. After taking Wincheſter and Chicheſter he advanced towards Gloceſter, which was in a manner blockaded by lord Herbert, who had levied conſiderable forces in Wales for the royal party.[g] While he attacked the Welſh on one ſide, a ſally from Gloceſter made impreſſion on the other. Herbert was defeated; five hundred of his men killed on the ſpot, a thouſand taken priſoners, and he himſelf eſcaped with ſome difficulty to Oxford. Hereford, eſteemed a ſtrong town, defended by a conſiderable garriſon, was ſurrendered to Waller, from the cowardice of colonel Price, the governor. Tewkeſbury underwent the ſame fate. Worceſter refuſed him admittance; and Waller, without placing any garriſons in his new conqueſts,

retired to Gloceſter, and he thence joined the army under the earl of Eſſex.[h]

VICTORIES OF THE ROYALISTS IN THE WEST.

But the moſt memorable actions of valour, during this winter ſeaſon, were performed in the weſt. When ſir Ralph Hopton, with his ſmall troop, retired into Cornwall before the earl of Bedford, that nobleman, deſpiſing ſo inconſiderable a force, abandoned the purſuit, and committed the care of ſuppreſſing the royal party to the ſheriffs of the county. But the affections of Cornwall were much inclined to the king's ſervice. While ſir Richard Buller and ſir Alexander Carew lay at Launceſton, and employed themſelves in executing the parliament's ordinance for the militia, a meeting of the county was aſſembled at Truro; and, after Hopton produced his commiſſion from the earl of Hertford, the king's general, it was agreed to execute the laws, and to expel theſe invaders of the county. The train-bands were accordingly levied, Launceſton taken, and all Cornwall reduced to peace and to obedience under the king.

It had been uſual for the royal party, on the commencement of theſe diſorders, to claim, on all occaſions, the ſtrict execution of the laws, which they knew were favourable to them; and the parliament, rather than have recourſe to the plea of neceſſity, and avow the tranſgreſſion of any ſtatute, had alſo been accuſtomed to warp the laws, and by forced conſtructions to interpret them in their own favour.[i] But, though the king was naturally the gainer by ſuch a method of conducting war, and it was by favour of law that the train-bands were raiſed in Cornwall, it appeared that thoſe maxims were now prejudicial to the royal party. Theſe troops could not legally, without their own conſent, be carried out of the county; and conſequently it was im-

poſſible to puſh into Devonſhire the advantage which they had obtained. The Corniſh royaliſts, therefore, bethought themſelves of levying a force which might be more ſerviceable. Sir Bevil Granville, the moſt beloved man of that country, ſir Ralph Hopton, ſir Nicholas Slanning, Arundel, and Trevannion, undertook, at their own charges, to raiſe an army for the king; and their great intereſt in Cornwall ſoon enabled them to effect their purpoſe. The parliament, alarmed at this appearance of the royaliſts, gave a commiſſion to Ruthven, a Scotchman, governor of Plymouth, to march with all the forces of Dorſet, Somerſet, and Devon, and make an entire conqueſt of Cornwall. The earl of Stamford followed him at ſome diſtance, with a conſiderable ſupply. Ruthven, having entered Cornwall by bridges thrown over the Tamar, haſtened to an action, leſt Stamford ſhould join him, and obtain the honour of that victory which he looked for with aſſurance: the royaliſts, in like manner, were impatient to bring the affair to a deciſion before Ruthven's army ſhould receive ſo conſiderable a reinforcement. The battle was fought on Bradoc-down; and the king's forces, though inferior in number, gave a total defeat to their enemies. Ruthven, with a few broken troops, fled to Saltaſh; and when that town was taken he eſcaped, with ſome difficulty, and almoſt alone, into Plymouth. Stamford retired, and diſtributed his forces into Plymouth and Exeter.

BATTLE OF STRATTON.

NOTWITHSTANDING theſe advantages, the extreme want both of money and ammunition, under which the Corniſh royaliſts laboured, obliged them to enter into a convention of neutrality with the parliamentary party in Devonſhire; and this neutrality held all the winter ſeaſon. In the ſpring it was broken by the authority of the two houſes; and war recommenced with great

appearance of diſadvantage to the king's party. Stamford, having aſſembled a ſtrong body of near ſeven thouſand men, well ſupplied with money, proviſions, and ammunition, advanced upon the royaliſts, who were not half his number, and were oppreſſed by every kind of neceſſity. Deſpair, joined to the natural gallantry of theſe troops, commanded by the prime gentry of the county, made them reſolve, by one vigorous effort, to overcome all theſe advantages. Stamford being encamped on the top of a high hill near Stratton, they attacked him in four diviſions, at five in the morning, having lain all night under arms. One diviſion was commanded by lord Mohun and ſir Ralph Hopton, another by ſir Bevil Granville and ſir John Berkeley, a third by Slanning and Trevannion, a fourth by Baſſet and Godolphin. In this manner the action began; the king's forces preſſing with vigour thoſe four ways up the hill, and their enemies obſtinately defending themſelves. The fight continued with doubtful ſucceſs, till word was brought to the chief officers of the Corniſh that their ammunition was ſpent to leſs than four barrels of powder. This defect, which they concealed from the ſoldiers, they reſolved to ſupply by their valour. They agreed to advance without firing till they ſhould reach the top of the hill, and could be on equal ground with the enemy. The courage of the officers was ſo well ſeconded by the ſoldiers, that the royaliſts began on all ſides to gain ground. Major-general Chidley, who commanded the parliamentary army (for Stamford kept at a diſtance), failed not in his duty; and, when he ſaw his men recoil, he himſelf advanced with a good ſtand of pikes, and, piercing into the thickeſt of the enemy, was at laſt overpowered by numbers, and taken priſoner. His army, upon this diſaſter, gave ground apace; inſomuch that the four parties of the royaliſts, growing nearer and nearer as they aſcended, at length met together upon the plain at the top; where they embraced with

great joy, and ſignalized their victory with loud ſhouts and mutual congratulations.[k]

BATTLES OF LANSDOWN AND ROUNDWAY-DOWN.

After this ſucceſs the attention, both of king and parliament, was turned towards the weſt, as to a very important ſcene of action. The king ſent thither the marquis of Hertford and prince Maurice with a reinforcement of cavalry; who, having joined the Corniſh army, ſoon overran the county of Devon; and, advancing into that of Somerſet, began to reduce it to obedience. On the other hand, the parliament, having ſupplied ſir William Waller, in whom they much truſted, with a complete army, diſpatched him weſtwards, in order to check the progreſs of the royaliſts. After ſome ſkirmiſhes the two armies met at Lanſdown, near Bath, and fought a pitched battle, with great loſs on both ſides, but without any deciſive event.[l] The gallant Granville was there killed; and Hopton, by the blowing up of ſome powder, was dangerouſly hurt. The royaliſts next attempted to march eaſtwards, and to join their forces to the king's at Oxford: but Waller hung on their rear, and infeſted their march till they reached the Devizes. Reinforced by additional troops, which flocked to him from all quarters, he ſo much ſurpaſſed the royaliſts in number, that they durſt no longer continue their march, or expoſe themſelves to the hazard of an action. It was reſolved that Hertford and prince Maurice ſhould proceed with the cavalry; and, having procured a reinforcement from the king, ſhould haſten back to the relief of their friends. Waller was ſo confident of taking this body of infantry, now abandoned by the horſe, that he wrote to the parliament that their work was done, and that by the next poſt he would inform them of the number and quality of the priſoners. But the king, even

before Hertford's arrival, hearing of the great difficulties to which his weſtern army was reduced, had prepared a conſiderable body of cavalry, which he immediately diſpatched to their ſuccour under the command of lord Wilmot. Waller drew up on Roundway-down, about two miles from the Devizes; and, advancing with his cavalry to fight Wilmot, and prevent his conjunction with the Corniſh infantry, was received with equal valour by the royaliſts. After a ſharp action he was totally routed, and, flying with a few horſe, eſcaped to Briſtol. Wilmot, ſeizing the enemy's cannon, and having joined his friends, whom he came to relieve, attacked Waller's infantry with redoubled courage, drove them off the field, and routed and diſperſed the whole army.[m]

This important victory, following ſo quick after many other ſucceſſes, ſtruck great diſmay into the parliament, and gave an alarm to their principal army commanded by Eſſex. Waller exclaimed loudly againſt that general for allowing Wilmot to paſs him, and proceed without any interruption to the ſuccour of the diſtreſſed infantry at the Devizes. But Eſſex, finding that his army fell continually to decay after the ſiege of Reading, was reſolved to remain upon the defenſive; and the weakneſs of the king, and his want of all military ſtores, had alſo reſtrained the activity of the royal army. No action had happened in that part of England, except one ſkirmiſh, which of itſelf was of no great conſequence, and was rendered memorable by the death alone of the famous Hambden.

DEATH OF HAMBDEN.

Colonel Urrey, a Scotchman, who ſerved in the parliamentary army, having received ſome diſguſt, came to Oxford, and offered his ſervices to the king. In order to prove the ſincerity of his

converſion, he informed prince Rupert of the looſe diſpoſition of the enemy's quarters, and exhorted him to form ſome attempt upon them. The prince, who was entirely fitted for that kind of ſervice, falling ſuddenly upon the diſperſed bodies of Eſſex's army, routed two regiments of cavalry and one of infantry, and carried his ravages within two miles of the general's quarters. The alarm being given, every one mounted on horſeback, in order to purſue the prince, to recover the priſoners, and to repair the diſgrace which the army had ſuſtained. Among the reſt, Hambden, who had a regiment of infantry that lay at a diſtance, joined the horſe as a volunteer; and, overtaking the royaliſts on Chalgrave field, entered into the thickeſt of the battle. By the bravery and activity of Rupert, the king's troops were brought off, and a great booty, together with two hundred priſoners, was conveyed to Oxford. But what moſt pleaſed the royaliſts was, the expectation that ſome diſaſter had happened to Hambden, their capital and much dreaded enemy. One of the priſoners taken in the action ſaid that he was confident Mr. Hambden was hurt, for he ſaw him, contrary to his uſual cuſtom, ride off the field before the action was finiſhed, his head hanging down, and his hands leaning upon his horſe's neck. Next day the news arrived that he was ſhot in the ſhoulder with a brace of bullets, and the bone broken. Some days after he died, in exquiſite pain, of his wound; nor could his whole party, had their army met with a total overthrow, have been thrown into greater conſternation. The king himſelf ſo highly valued him, that, either from generoſity or policy, he intended to have ſent him his own ſurgeon to aſſiſt at his cure.[n]

Many were the virtues and talents of this eminent perſonage; and his valour, during the war, had ſhone out with a luſtre equal to that of the other accompliſhments by which he had ever been diſtinguiſhed. Affability in converſation; temper, art,

and eloquence in debate; penetration and diſcernment in counſel; induſtry, vigilance, and enterpriſe in action; all theſe praiſes are unanimouſly aſcribed to him by hiſtorians of the moſt oppoſite parties. His virtue too and integrity, in all the duties of private life, are allowed to have been beyond exception. We muſt only be cautious, notwithſtanding his generous zeal for liberty, not haſtily to aſcribe to him the praiſes of a good citizen. Through all the horrors of civil war he ſought the abolition of monarchy, and ſubverſion of the conſtitution; an end which, had it been attainable by peaceful meaſures, ought carefully to have been avoided by every lover of his country. But whether, in the purſuit of this violent enterpriſe, he was actuated by private ambition, or by honeſt prejudices, derived from the former exorbitant powers of royalty, it belongs not to an hiſtorian of this age, ſcarcely even to an intimate friend, poſitively to determine.°

BRISTOL TAKEN.

Essex, diſcouraged by this event, diſmayed by the total rout of Waller, was farther informed that the queen, who landed in Burlington-bay, had arrived at Oxford, and had brought from the north a reinforcement of three thouſand foot and fifteen hundred horſe. Diſlodging from Thame and Ayleſbury, where he had hitherto lain, he thought proper to retreat nearer to London, and he ſhewed to his friends his broken and diſheartened forces, which a few months before he had led into the field in ſo flouriſhing a condition. The king, freed from this enemy, ſent his army weſtward under prince Rupert; and, by their conjunction with the Corniſh troops, a formidable force, for numbers as well as reputation and valour, was compoſed. That an enterpriſe correſpondent to men's expectations might be undertaken, the prince reſolved to lay ſiege to Briſtol, the

ſecond town for riches and greatneſs in the kingdom. Nathaniel Fiennes, ſon of lord Say, he himſelf, as well as his father, a great parliamentary leader, was governor, and commanded a garriſon of two thouſand five hundred foot, and two regiments, one of horſe, another of dragoons. The fortifications not being complete or regular, it was reſolved by prince Rupert to ſtorm the city; and next morning, with little other proviſions ſuitable to ſuch a work beſides the courage of the troops, the aſſault began. The Corniſh, in three diviſions, attacked the weſt ſide, with a reſolution which nothing could control: but, though the middle diviſion had already mounted the wall, ſo great was the diſadvantage of the ground, and ſo brave the defence of the garriſon, that in the end the aſſailants were repulſed with a conſiderable loſs both of officers and ſoldiers. On the prince's ſide the aſſault was conducted with equal courage, and almoſt with equal loſs, but with better ſucceſs. One party, led by lord Grandiſon, was indeed beaten off, and the commander himſelf mortally wounded: another, conducted by colonel Bellaſis, met with a like fate: but Waſhington, with a leſs party, finding a place in the curtain weaker than the reſt, broke in, and quickly made room for the horſe to follow. By this irruption, however, nothing but the ſuburbs was yet gained; the entrance into the town was ſtill more difficult; and by the loſs already ſuſtained, as well as by the proſpect of farther danger, every one was extremely diſcouraged; when, to the great joy of the army, the city beat a parley. The garriſon was allowed to march out with their arms and baggage, leaving their cannon, ammunition, and colours. For this inſtance of cowardice Fiennes was afterwards tried by a court-martial, and condemned to loſe his head; but the ſentence was remitted by the general.[p]

Great complaints were made of violences exerciſed on the garriſon contrary to the capitulation. An apology was made by

the royaliſts, as if theſe were a retaliation for ſome violences committed on their friends at the ſurrender of Reading. And, under pretence of like retaliations, but really from the extreme animoſity of the parties, were ſuch irregularities continued during the whole courſe of the war.[q]

The loſs ſuſtained by the royaliſts, in the aſſault of Briſtol, was conſiderable. Five hundred excellent ſoldiers periſhed. Among thoſe of condition were Grandiſon, Slanning, Trevannion, and Moyle: Bellaſis, Aſhley, and ſir John Owen, were wounded. Yet was the ſucceſs, upon the whole, ſo conſiderable as mightily raiſed the courage of the one party, and depreſſed that of the other. The king, to ſhew that he was not intoxicated with good fortune, nor aſpired to a total victory over the parliament, publiſhed a manifeſto; in which he renewed the proteſtation, formerly taken with great ſolemnity at the head of his army, and expreſſed his firm intention of making peace upon the re-eſtabliſhment of the conſtitution. Having joined the camp at Briſtol, and ſent prince Maurice with a detachment into Devonſhire, he deliberated how to employ the remaining forces in an enterpriſe of moment. Some propoſed, and ſeemingly with reaſon, to march directly to London; where every thing was in confuſion; where the army of the parliament was baffled, weakened, and diſmayed; and where, it was hoped, either by an inſurrection of the citizens, by victory, or by treaty, a ſpeedy end might be put to the civil diſorders. But this undertaking, by reaſon of the great number and force of the London militia, was thought by many to be attended with conſiderable difficulties. Gloceſter, lying within twenty miles, preſented an eaſier, yet a very important conqueſt. It was the only remaining garriſon poſſeſſed by the parliament in thoſe parts. Could that city be reduced, the king held the whole courſe of the Severn under his command; the rich and malcontent counties of the weſt,

having loſt all protection from their friends, might be forced to pay high contributions as an atonement for their diſaffection; an open communication could be preſerved between Wales and theſe new conqueſts; and half of the kingdom, being entirely freed from the enemy, and thus united into one firm body, might be employed in re-eſtabliſhing the king's authority throughout the remainder. Theſe were the reaſons for embracing that reſolution; fatal, as it was ever eſteemed, to the royal party.[1]

SIEGE OF GLOCESTER.

THE governor of Gloceſter was one Maſſey, a ſoldier of fortune, who, before he engaged with the parliament, had offered his ſervice to the king; and, as he was free from the fumes of enthuſiaſm, by which moſt of the officers on that ſide were intoxicated, he would lend an ear, it was preſumed, to propoſals for accommodation. But Maſſey was reſolute to preſerve an entire fidelity to his maſters; and, though no enthuſiaſt himſelf, he well knew how to employ to advantage that enthuſiaſtic ſpirit ſo prevalent in his city and garriſon. The ſummons to ſurrender allowed two hours for an anſwer: but before that time expired there appeared before the king two citizens, with lean, pale, ſharp, and diſmal viſages; faces ſo ſtrange and uncouth, according to lord Clarendon; figures ſo habited and accoutred, as at once moved the moſt ſevere countenance to mirth, and the moſt cheerful heart to ſadneſs: it ſeemed impoſſible that ſuch meſſengers could bring leſs than a defiance. The men, without any circumſtance of duty or good manners, in a pert, ſhrill, undiſmayed accent, ſaid that they brought an anſwer from the godly city of Gloceſter. And extremely ready were they, according to the hiſtorian, to give inſolent and ſeditious replies to any queſtion; as if their buſineſs were chiefly, by provoking

the king, to make him violate his own ſafe-conduct. The anſwer from the city was in theſe words: 'We, the inhabitants, magiſtrates, officers and ſoldiers, within the garriſon of Gloceſter, unto his majeſty's gracious meſſage return this humble anſwer: that we do keep this city, according to our oaths and allegiance, to and for the uſe of his majeſty, and of his royal poſterity; and do accordingly conceive ourſelves wholly bound to obey the commands of his majeſty, ſignified by both houſes of parliament; and are reſolved, by God's help,[s] to keep this city accordingly.' After theſe preliminaries the ſiege was reſolutely undertaken by the army, and as reſolutely ſuſtained by the citizens and garriſon.

When intelligence of the ſiege of Gloceſter arrived in London, the conſternation among the inhabitants was as great as if the enemy were already at their gates. The rapid progreſs of the royaliſts threatened the parliament with immediate ſubjection: the factions and diſcontents among themſelves in the city, and throughout the neighbouring counties, prognoſticated ſome dangerous diviſion or inſurrection. Thoſe parliamentary leaders, it muſt be owned, who had introduced ſuch mighty innovations into the Engliſh conſtitution, and who had projected ſo much greater, had not engaged in an enterpriſe which exceeded their courage and capacity. Great vigour, from the beginning, as well as wiſdom, they had diſplayed in all their counſels; and a furious headſtrong body, broken looſe from the reſtraint of law, had hitherto been retained in ſubjection under their authority, and firmly united by zeal and paſſion, as by the moſt legal and eſtabliſhed government. A ſmall committee, on whom the two houſes devolved their power, had directed all their military operations, and had preſerved a ſecrecy in deliberation, and a promptitude in execution, beyond what the king, notwithſtanding the advantages poſſeſſed by a ſingle leader, had ever been

able to attain. Senſible that no jealouſy was by their partiſans entertained againſt them, they had on all occaſions exerted an authority much more deſpotic than the royaliſts, even during the preſſing exigencies of war, could with patience endure in their ſovereign. Whoever incurred their diſpleaſure, or was expoſed to their ſuſpicions, was committed to priſon, and proſecuted under the notion of delinquency. After all the old jails were full, many new ones were erected; and even the ſhips were crowded with the royaliſts, both gentry and clergy, who languiſhed below decks, and periſhed in thoſe unhealthy confinements: they impoſed taxes, the heavieſt, and of the moſt unuſual nature, by an ordinance of the two houſes: they voted a commiſſion for ſequeſtrations; and they ſeized, wherever they had power, the revenues of all the king's party:[t] and, knowing that themſelves, and all their adherents, were, by reſiſting the prince, expoſed to the penalties of laws, they reſolved, by a ſevere adminiſtration, to overcome theſe terrors, and to retain the people in obedience by penalties of a more immediate execution. In the beginning of this ſummer a combination, formed againſt them in London, had obliged them to exert the plenitude of their authority.

Edmond Waller, the firſt refiner of Engliſh verſification, was a member of the lower houſe; a man of conſiderable fortune, and not more diſtinguiſhed by his poetical genius than by his parliamentary talents, and by the politeneſs and elegance of his manners. As full of keen ſatire and invective in his eloquence, as of tenderneſs and panegyric in his poetry, he caught the attention of his hearers, and exerted the utmoſt boldneſs in blaming thoſe violent counſels by which the commons were governed. Finding all oppoſition within doors to be fruitleſs, he endeavoured to form a party without, which might oblige the parliament to accept of reaſonable conditions, and reſtore peace to

the nation. The charms of his converſation, joined to his character of courage and integrity, had procured him the entire confidence of Northumberland, Conway, and every eminent perſon of either ſex, who reſided in London. They opened their breaſt to him without reſerve, and expreſſed their diſapprobation of the furious meaſures purſued by the commons, and their wiſhes that ſome expedient could be found for ſtopping ſo impetuous a career. Tomkins, Waller's brother-in-law, and Chaloner, the intimate friend of Tomkins, had entertained like ſentiments: and, as the connexions of theſe two gentlemen lay chiefly in the city, they informed Waller that the ſame abhorrence of war prevailed there among all men of reaſon and moderation. Upon reflection it ſeemed not impracticable that a combination might be formed between the lords and citizens; and, by mutual concert, the illegal taxes be refuſed, which the parliament, without the royal aſſent, impoſed on the people. While this affair was in agitation, and liſts were making of ſuch as they conceived to be well affected to their deſign, a ſervant of Tomkins, who had overheard their diſcourſe, immediately carried intelligence to Pym. Waller, Tomkins, and Chaloner were ſeized, and tried by a court-martial.[u] They were all three condemned, and the two latter executed on gibbets erected before their own doors. A covenant, as a teſt, was taken [w] by the lords and commons, and impoſed on their army, and on all who lived within their quarters. Beſides reſolving to amend and reform their lives, the covenanters there vow that they will never lay down their arms ſo long as the papiſts, now in open war againſt the parliament, ſhall by force of arms be protected from juſtice: they expreſs their abhorrence of the late conſpiracy; and they promiſe to aſſiſt to the utmoſt the forces raiſed by both houſes againſt the forces levied by the king.[x]

Waller, as ſoon as impriſoned, ſenſible of the great danger into which he had fallen, was ſo ſeized with the dread of death, that all his former ſpirit deſerted him; and he confeſſed whatever he knew, without ſparing his moſt intimate friends, without regard to the confidence repoſed in him, without diſtinguiſhing between the negligence of familiar converſation and the ſchemes of a regular conſpiracy. With the moſt profound diſſimulation, he counterfeited ſuch remorſe of conſcience, that his execution was put off, out of mere chriſtian compaſſion, till he might recover the uſe of his underſtanding. He invited viſits from the ruling clergy of all ſects; and, while he expreſſed his own penitence, he received their devout exhortations with humility and reverence, as conveying clearer conviction and information than in his life he had ever before attained. Preſents too, of which, as well as of flattery, theſe holy men were not inſenſible, were diſtributed among them, as a ſmall retribution for their prayers and ghoſtly counſel. And by all theſe artifices, more than from any regard to the beauty of his genius, of which, during that time of furious cant and faction, ſmall account would be made, he prevailed ſo far as to have his life ſpared, and a fine of ten thouſand pounds accepted in lieu of it.[y]

The ſeverity exerciſed againſt the conſpiracy, or rather project, of Waller, increaſed the authority of the parliament, and ſeemed to enſure them againſt like attempts for the future: but by the progreſs of the king's arms, the defeat of ſir William Waller, the taking of Briſtol, the ſiege of Gloceſter, a cry for peace was renewed, and with more violence than ever. Crowds of women, with a petition for that purpoſe, flocked about the houſe, and were ſo clamorous and importunate, that orders were given for diſperſing them; and ſome of the females were killed in the fray.[z] Bedford, Holland, and Conway, had deſerted the parliament, and had gone to Oxford; Clare and Lovelace had

followed them.[a] Northumberland had retired to his country ſeat: Eſſex himſelf ſhewed extreme diſſatisfaction, and exhorted the parliament to make peace.[b] The upper houſe ſent down terms of accommodation more moderate than had hitherto been inſiſted on: it even paſſed by a majority among the commons that theſe propoſals ſhould be tranſmitted to the king. The zealots took the alarm: a petition againſt peace was framed in the city, and preſented by Pennington, the factious mayor: multitudes attended him, and renewed all the former menaces againſt the moderate party.[c] The pulpits thundered, and rumours were ſpread of twenty thouſand Iriſh, who had landed, and were to cut the throat of every proteſtant.[d] The majority was again turned to the other ſide; and, all thoughts of pacification being dropped, every preparation was made for reſiſtance, and for the immediate relief of Gloceſter, on which the parliament was ſenſible all their hopes of ſucceſs in the war did ſo much depend.

Maſſey, reſolute to make a vigorous defence, and having under his command a city and garriſon ambitious of the crown of martyrdom, had hitherto maintained the ſiege with courage and abilities, and had much retarded the advances of the king's army. By continual ſallies he infeſted them in their trenches, and gained ſudden advantages over them; by diſputing every inch of ground he repreſſed the vigour and alacrity of their courage, elated by former ſucceſſes: his garriſon, however, was reduced to the laſt extremity; and he failed not, from time to time, to inform the parliament that, unleſs ſpeedily relieved, he ſhould be neceſſitated, from the extreme want of proviſions and ammunition, to open his gates to the enemy.

The parliament, in order to repair their broken condition, and put themſelves in a poſture of defence, now exerted to the utmoſt their power and authority. They voted that an army ſhould

be levied under ſir William Waller, whom, notwithſtanding his misfortunes, they loaded with extraordinary careſſes. Having aſſociated in their cauſe the counties of Hertford, Eſſex, Cambridge, Norfolk, Suffolk, Lincoln, and Huntingdon, they gave the earl of Mancheſter a commiſſion to be general of the aſſociation, and appointed an army to be levied under his command. But, above all, they were intent that Eſſex's army, on which their whole fortune depended, ſhould be put in a condition of marching againſt the king. They excited afreſh their preachers to furious declamations againſt the royal cauſe: they even employed the expedient of preſſing, though aboliſhed by a late law, for which they had ſtrenuouſly contended:[e] and they engaged the city to ſend four regiments of its militia to the relief of Gloceſter. All ſhops, meanwhile, were ordered to be ſhut; and every man expected, with the utmoſt anxiety, the event of that important enterpriſe.[f]

Eſſex, carrying with him a well appointed army of fourteen thouſand men, took the road of Bedford and Leiceſter; and, though inferior in cavalry, yet, by the mere force of conduct and diſcipline, he paſſed over thoſe open champaign countries, and defended himſelf from the enemy's horſe, who advanced to meet him, and who infeſted him during his whole march. As he approached to Gloceſter, the king was obliged to raiſe the ſiege, and open the way for Eſſex to enter that city. The neceſſities of the garriſon were extreme: one barrel of powder was their whole ſtock of ammunition remaining; and their other proviſions were in the ſame proportion. Eſſex had brought with him military ſtores, and the neighbouring country abundantly ſupplied him with victuals of every kind. The inhabitants had carefully concealed all proviſions from the king's army, and, pretending to be quite exhauſted, had reſerved their ſtores for that cauſe which they ſo much favoured.[g]

The chief difficulty ſtill remained. Eſſex dreaded a battle with the king's army, on account of its great ſuperiority in cavalry; and he reſolved to return, if poſſible, without running that hazard. He lay five days at Tewkeſbury, which was his firſt ſtage after leaving Gloceſter; and he feigned, by ſome preparations, to point towards Worceſter. By a forced march during the night he reached Cirenceſter, and obtained the double advantage of paſſing unmoleſted an open country, and of ſurpriſing a convoy of proviſions which lay in that town.[h] Without delay he proceeded towards London; but when he reached Newbury he was ſurpriſed to find that the king, by haſty marches, had arrived before him, and was already poſſeſſed of the place.

BATTLE OF NEWBURY.

An action was now unavoidable, and Eſſex prepared for it with preſence of mind, and not without military conduct. On both ſides the battle was fought with deſperate valour and a ſteady bravery. Eſſex's horſe were ſeveral times broken by the king's, but his infantry maintained themſelves in firm array; and, beſides giving a continued fire, they preſented an invincible rampart of pikes againſt the furious ſhock of prince Rupert, and thoſe gallant troops of gentry of which the royal cavalry was chiefly compoſed. The militia of London eſpecially, though utterly unacquainted with action, though drawn but a few days before from their ordinary occupations, yet having learned all military exerciſes, and being animated with unconquerable zeal for the cauſe in which they were engaged, equalled, on this occaſion, what could be expected from the moſt veteran forces. While the armies were engaged with the utmoſt ardour, night put an end to the action, and left the victory undecided. Next morning Eſſex proceeded on his march, and, though his rear was once

put in ſome diſorder by an incurſion of the king's horſe, he reached London in ſafety, and received applauſe for his conduct and ſucceſs in the whole enterpriſe. The king followed him on his march; and having taken poſſeſſion of Reading, after the earl left it, he there eſtabliſhed a garriſon, and ſtraitened, by that means, London, and the quarters of the enemy.[1]

In the battle of Newbury, on the part of the king, beſides the earls of Sunderland and Carnarvon, two noblemen of promiſing hopes, were unfortunately ſlain, to the regret of every lover of ingenuity and virtue throughout the kingdom, Lucius Cary viſcount Falkland, ſecretary of ſtate. Before aſſembling the preſent parliament, this man, devoted to the purſuits of learning, and to the ſociety of all the polite and elegant, had enjoyed himſelf in every pleaſure which a fine genius, a generous diſpoſition, and an opulent fortune could afford. Called into public life, he ſtood foremoſt in all attacks on the high prerogatives of the crown; and diſplayed that maſculine eloquence, and undaunted love of liberty, which, from his intimate acquaintance with the ſublime ſpirits of antiquity, he had greedily imbibed. When civil convulſions proceeded to extremities, and it became requiſite for him to chooſe his ſide, he tempered the ardour of his zeal, and embraced the defence of thoſe limited powers which remained to monarchy, and which he deemed neceſſary for the ſupport of the Engliſh conſtitution. Still anxious, however, for his country, he ſeems to have dreaded the too proſperous ſucceſs of his own party as much as of the enemy; and, among his intimate friends, often after a deep ſilence and frequent ſighs, he would, with a ſad accent, reiterate the word 'Peace.' In excuſe for the too free expoſing of his perſon, which ſeemed unſuitable in a ſecretary of ſtate, he alleged that it became him to be more active than other men in all hazardous enterpriſes, leſt his impatience for peace might bear the impu-

tation of cowardice or puſillanimity. From the commencement of the war his natural cheerfulneſs and vivacity became clouded, and even his uſual attention to dreſs, required by his birth and ſtation, gave way to a negligence which was eaſily obſervable. On the morning of the battle in which he fell he had ſhewn ſome care of adorning his perſon, and gave for a reaſon that the enemy ſhould not find his body in any ſlovenly indecent ſituation. 'I am weary,' ſubjoined he, 'of the times, and foreſee much miſery to my country;[k] but believe that I ſhall be out of it ere night.' This excellent perſon was but thirty-four years of age when a period was thus put to his life.

The loſs ſuſtained on both ſides in the battle of Newbury, and the advanced ſeaſon, obliged the armies to retire into winter quarters.

ACTIONS IN THE NORTH.

In the north, during this ſummer, the great intereſt and popularity of the earl, now created marquis of Newcaſtle, had raiſed a conſiderable force for the king; and great hopes of ſucceſs were entertained from that quarter. There appeared, however, in oppoſition to him, two men, on whom the event of the war finally depended, and who began about this time to be remarked for their valour and military conduct. Theſe were ſir Thomas Fairfax, ſon of the lord of that name, and Oliver Cromwell. The former gained a conſiderable advantage at Wakefield[l] over a detachment of royaliſts, and took general Goring priſoner: the latter obtained a victory at Gainſborow[m] over a party commanded by the gallant Cavendiſh, who periſhed in the action. But both theſe defeats of the royaliſts were more than ſufficiently compenſated by the total rout of lord Fairfax at Atherton moor,[n] and the diſperſion of his army. After this victory Newcaſtle, with an army of fifteen thouſand men, ſat down before

Hull. Hotham was no longer governor of this place: that gentleman and his ſon, partly from a jealouſy entertained of lord Fairfax, partly repenting of their engagements againſt the king, had entered into a correſpondence with Newcaſtle, and had expreſſed an intention of delivering Hull into his hands. But their conſpiracy being detected, they were arreſted and ſent priſoners to London; where, without any regard to their former ſervices, they fell, both of them, victims to the ſeverity of the parliament.[o]

Newcaſtle, having carried on the attack of Hull for ſome time, was beat off by a ſally of the garriſon,[p] and ſuffered ſo much, that he thought proper to raiſe the ſiege. About the ſame time Manchester, who advanced from the eaſtern aſſociated counties, having joined Cromwell and young Fairfax, obtained a conſiderable victory over the royaliſts at Horn Caſtle; where the two officers laſt mentioned gained renown by their conduct and gallantry. And though fortune had thus balanced her favours, the king's party ſtill remained much ſuperior in thoſe parts of England; and had it not been for the garriſon of Hull, which kept Yorkſhire in awe, a conjunction of the northern forces with the army in the ſouth might have been made, and had probably enabled the king, inſtead of entering on the unfortunate, perhaps imprudent, enterpriſe of Gloceſter, to march directly to London, and put an end to the war.[q]

While the military enterpriſes were carried on with vigour in England, and the event became every day more doubtful, both parties caſt their eye towards the neighbouring kingdoms, and ſought aſſiſtance for the finiſhing of that enterpriſe, in which their own forces experienced ſuch furious oppoſition. The parliament had recourſe to Scotland, the king to Ireland.

When the Scottiſh covenanters obtained that end for which they ſo earneſtly contended, the eſtabliſhment of preſbyterian

diſcipline in their own country, they were not ſatisfied, but indulged ſtill an ardent paſſion for propagating, by all methods, that mode of religion in the neighbouring kingdoms. Having flattered themſelves, in the fervour of their zeal, that by ſupernatural aſſiſtances they ſhould be enabled to carry their triumphant covenant to the gates of Rome itſelf, it behoved them firſt to render it prevalent in England, which already ſhewed ſo great a diſpoſition to receive it. Even in the articles of pacification they expreſſed a deſire of uniformity in worſhip with England; and the king, employing general expreſſions, had approved of this inclination as pious and laudable. No ſooner was there an appearance of a rupture than the Engliſh parliament, in order to allure that nation into a cloſe confederacy, openly declared their wiſhes of eccleſiaſtical reformation, and of imitating the example of their northern brethren.[r] When war was actually commenced, the ſame artifices were uſed; and the Scots beheld, with the utmoſt impatience, a ſcene of action of which they could not deem themſelves indifferent ſpectators. 'Should the king,' they ſaid, 'be able, by force of arms, to prevail over the parliament of England, and re-eſtabliſh his authority in that powerful kingdom, he will undoubtedly retract all thoſe conceſſions which, with ſo many circumſtances of violence and indignity, the Scots have extorted from him. Beſides a ſenſe of his own intereſt, and a regard to royal power, which has been entirely annihilated in this country, his very paſſion for prelacy and for religious ceremonies muſt lead him to invade a church which he has ever been taught to regard as antichriſtian and unlawful. Let us but conſider who the perſons are that compoſe the factions now ſo furiouſly engaged in arms. Does not the parliament conſiſt of thoſe very men who have ever oppoſed all war with Scotland, who have puniſhed the authors of our oppreſſions, who have obtained us the redreſs of every grievance,

and who, with many honourable expreſſions, have conferred on us an ample reward for our brotherly aſſiſtance? And is not the court full of papiſts, prelates, malignants; all of them zealous enemies to our religious model, and reſolute to ſacrifice their lives for their idolatrous eſtabliſhments? Not to mention our own neceſſary ſecurity, can we better expreſs our gratitude to heaven for that pure light with which we are, above all nations, ſo eminently diſtinguiſhed, than by conveying the ſame divine knowledge to our unhappy neighbours, who are wading through a ſea of blood in order to attain it?' Theſe were, in Scotland, the topics of every converſation; with theſe doctrines the pulpits echoed; and the famous curſe of Meroz, that curſe ſo ſolemnly denounced and reiterated againſt neutrality and moderation, reſounded from all quarters.[s]

The parliament of England had ever invited the Scots, from the commencement of the civil diſſenſions, to interpoſe their mediation, which, they knew, would be ſo little favourable to the king: and the king, for that very reaſon, had ever endeavoured, with the leaſt offenſive expreſſions, to decline it.[t] Early this ſpring the earl of Loudon, the chancellor, with other commiſſioners, and attended by Henderſon, a popular and intriguing preacher, was ſent to the king at Oxford, and renewed the offer of mediation; but with the ſame ſucceſs as before. The commiſſioners were alſo empowered to preſs the king on the article of religion, and to recommend to him the Scottiſh model of eccleſiaſtic worſhip and diſcipline. This was touching Charles in a very tender point: his honour, his conſcience, as well as his intereſt, he believed to be intimately concerned in ſupporting prelacy and the liturgy.[u] He begged the commiſſioners, therefore, to remain ſatisfied with the conceſſions which he had made to Scotland; and, having modelled their own church according to their own principles, to leave their neighbours in the like

liberty, and not to intermeddle with affairs of which they could not be ſuppoſed competent judges.[w]

The divines of Oxford, ſecure, as they imagined, of a victory, by means of their authorities from church hiſtory, their quotations from the fathers, and their ſpiritual arguments, deſired a conference with Henderſon, and undertook, by dint of reaſoning, to convert that great apoſtle of the north; but Henderſon, who had ever regarded as impious the leaſt doubt with regard to his own principles, and who knew of a much better way to reduce opponents than by employing any theological topics, abſolutely refuſed all diſputation or controverſy. The Engliſh divines went away full of admiration at the blind aſſurance and bigoted prejudices of the man: he, on his part, was moved with equal wonder at their obſtinate attachment to ſuch palpable errors and deluſions.

By the conceſſions which the king had granted to Scotland, it became neceſſary for him to ſummon a parliament once in three years; and in June of the ſubſequent year was fixed the period for the meeting of that aſſembly. Before that time elapſed Charles flattered himſelf that he ſhould be able, by ſome deciſive advantage, to reduce the Engliſh parliament to a reaſonable ſubmiſſion, and might then expect, with ſecurity, the meeting of a Scottiſh parliament. Though earneſtly ſolicited by Loudon to ſummon preſently that great council of the nation, he abſolutely refuſed to give authority to men who had already excited ſuch dangerous commotions, and who ſhewed ſtill the ſame diſpoſition to reſiſt and invade his authority. The commiſſioners, therefore, not being able to prevail in any of their demands, deſired the king's paſſport for London, where they propoſed to confer with the Engliſh parliament;[x] and being likewiſe denied this requeſt, they returned with extreme diſſatisfaction to Edinburgh.

The office of conſervators of the peace was newly erected in Scotland, in order to maintain the confederacy between the two kingdoms; and theſe, inſtigated by the clergy, were reſolved, ſince they could not obtain the king's conſent, to ſummon, in his name, but by their own authority, a convention of ſtates; and to bereave their ſovereign of this article, the only one which remained of his prerogative. Under colour of providing for national peace, endangered by the neighbourhood of Engliſh armies, was a convention called;[y] an aſſembly which, though it meets with leſs ſolemnity, has the ſame authority as a parliament in raiſing money and levying forces. Hamilton, and his brother the earl of Laneric, who had been ſent into Scotland in order to oppoſe theſe meaſures, wanted either authority or ſincerity, and paſſively yielded to the torrent. The general aſſembly of the church met at the ſame time with the convention; and, exerciſing an authority almoſt abſolute over the whole civil power, made every political conſideration yield to their theological zeal and prejudices.

SOLEMN LEAGUE AND COVENANT.

The Engliſh parliament was, at that time, fallen into great diſtreſs by the progreſs of the royal arms; and they gladly ſent to Edinburgh commiſſioners, with ample powers to treat of a nearer union and confederacy with the Scottiſh nation. The perſons employed were the earl of Rutland, ſir William Armyne, ſir Henry Vane the younger, Thomas Hatcher, and Henry Darley, attended by Marſhal and Nye, two clergymen of ſignal authority.[z] In this negociation the man chiefly truſted was Vane, who, in eloquence, addreſs, capacity, as well as in art and diſſimulation, was not ſurpaſſed by any one, even during that age, ſo famous for active talents. By his perſuaſion was framed at Edin-

burgh that 'ſolemn League and Covenant' which effaced all former proteſtations and vows taken in both kingdoms, and long maintained its credit and authority. In this covenant the ſubſcribers, beſides engaging mutually to defend each other againſt all opponents, bound themſelves to endeavour, without reſpect of perſons, the extirpation of popery and prelacy, ſuperſtition, hereſy, ſchiſm, and profaneneſs; to maintain the rights and privileges of parliaments, together with the king's authority; and to diſcover and bring to juſtice all incendiaries and malignants.[a]

The ſubſcribers of the covenant vowed alſo to preſerve the reformed religion eſtabliſhed in the church of Scotland; but, by the artifice of Vane, no declaration more explicit was made with regard to England and Ireland, than that theſe kingdoms ſhould be reformed, according to the word of God, and the example of the pureſt churches. The Scottiſh zealots, when prelacy was abjured, deemed this expreſſion quite free from ambiguity, and regarded their own model as the only one which correſponded, in any degree, to ſuch a deſcription: but that able politician had other views; and while he employed his great talents in over-reaching the preſbyterians, and ſecretly laughed at their ſimplicity, he had blindly devoted himſelf to the maintenance of ſyſtems ſtill more abſurd and more dangerous.

In the Engliſh parliament there remained ſome members who, though they had been induced, either by private ambition or by zeal for civil liberty, to concur with the majority, ſtill retained an attachment to the hierarchy, and to the ancient modes of worſhip. But, in the preſent danger which threatened their cauſe, all ſcruples were laid aſide; and the covenant, by whoſe means alone they could expect to obtain ſo conſiderable a reinforcement as the acceſſion of the Scottiſh nation, was received

without oppoſition. The parliament, therefore, having firſt ſubſcribed it themſelves, ordered it to be received by all who lived under their authority.

ARMING OF THE SCOTS.

GREAT were the rejoicings among the Scots, that they ſhould be the happy inſtruments of extending their mode of religion, and diſſipating that profound darkneſs in which the neighbouring nations were involved. The general aſſembly applauded this glorious imitation of the piety diſplayed by their anceſtors, who, they ſaid, in three different applications, during the reign of Elizabeth, had endeavoured to engage the Engliſh, by perſuaſion, to lay aſide the uſe of the ſurplice, tippet, and corner-cap.[b] The convention too, in the height of their zeal, ordered every one to ſwear to this covenant, under the penalty of confiſcation; beſide what farther puniſhment it ſhould pleaſe the enſuing parliament to inflict on the refuſers, as enemies to God, to the king, and to the kingdom. And being determined that the ſword ſhould carry conviction to all refractory minds, they prepared themſelves, with great vigilance and activity, for their military enterpriſes. By means of a hundred thouſand pounds, which they received from England; by the hopes of good pay and warm quarters; not to mention men's favourable diſpoſition towards the cauſe; they ſoon completed their levies. And, having added to their other forces the troops which they had recalled from Ireland, they were ready about the end of the year to enter England, under the command of their old general the earl of Leven, with an army of above twenty thouſand men.[c]

THE king, foreſeeing this tempeſt which was gathering upon him, endeavoured to ſecure himſelf by every expedient; and he caſt his eye towards Ireland, in hopes that this kingdom, from which his cauſe had already received ſo much prejudice, might at length contribute ſomewhat towards his protection and ſecurity.

After the commencement of the Iriſh inſurrection the Engliſh parliament, though they undertook the ſuppreſſion of it, had ever been too much engaged, either in military projects or expeditions at home, to take any effectual ſtep towards finiſhing that enterpriſe. They had entered indeed into a contract with the Scots for ſending over an army of ten thouſand men into Ireland; and, in order to engage that nation in this undertaking, beſide giving a promiſe of pay, they agreed to put Caricfergus into their hands, and to inveſt their general with an authority quite independent of the Engliſh government. Theſe troops, ſo long as they were allowed to remain, were uſeful, by diverting the force of the Iriſh rebels, and protecting in the north the ſmall remnants of the Britiſh planters. But, except this contract with the Scottiſh nation, all the other meaſures of the parliament either were hitherto abſolutely inſignificant, or tended rather to the prejudice of the proteſtant cauſe in Ireland. By continuing their violent perſecution, and ſtill more violent menaces, againſt prieſts and papiſts, they confirmed the Iriſh catholics in their rebellion, and cut off all hopes of indulgence and toleration. By diſpoſing beforehand of all the Iriſh forfeitures to ſubſcribers or adventurers, they rendered all men of property deſperate, and ſeemed to threaten a total extirpation of the natives.[d] And while they thus infuſed zeal and animoſity

into the enemy, no meaſure was purſued which could tend to ſupport or encourage the proteſtants, now reduced to the laſt extremities.

So great is the aſcendant which, from a long courſe of ſucceſſes, the Engliſh has acquired over the Iriſh nation, that though the latter, when they receive military diſcipline among foreigners, are not ſurpaſſed by any troops, they had never in their own country been able to make any vigorous effort for the defence or recovery of their liberties. In many rencounters the Engliſh, under lord More, ſir William St. Leger, ſir Frederic Hamilton, and others, had, though under great diſadvantages of ſituation and numbers, put the Iriſh to rout, and returned in triumph to Dublin. The rebels raiſed the ſiege of Tredah, after an obſtinate defence made by the garriſon.[e] Ormond had obtained two complete victories at Kilruſh and Roſs, and had brought relief to all the forts which were beſieged or blockaded in different parts of the kingdom.[f] But notwithſtanding theſe ſucceſſes, even the moſt common neceſſaries of life were wanting to the victorious armies. The Iriſh, in their wild rage againſt the Britiſh planters, had laid waſte the whole kingdom, and were themſelves totally unfit, from their habitual ſloth and ignorance, to raiſe any convenience of human life. During the courſe of ſix months no ſupplies had come from England, except the fourth part of one ſmall veſſel's lading. Dublin, to ſave itſelf from ſtarving, had been obliged to ſend the greater part of its inhabitants to England. The army had little ammunition, ſcarcely exceeding forty barrels of gunpowder; not even ſhoes or clothes; and for want of food the ſoldiers had been obliged to eat their own horſes. And though the diſtreſs of the Iriſh was not much inferior,[g] beſides that they were more hardened againſt ſuch extremities, it was but a melancholy reflection that the two nations, while they conti-

nued their furious animoſities, ſhould make deſolate that fertile iſland which might ſerve to the ſubſiſtence and happineſs of both.

The juſtices and council of Ireland had been engaged, chiefly by the intereſt and authority of Ormond, to fall into an entire dependance on the king. Parſons, Temple, Loftus, and Meredith, who favoured the oppoſite party, had been removed, and Charles had ſupplied their place by others better affected to his ſervice. A committee of the Engliſh houſe of commons, which had been ſent over to Ireland in order to conduct the affairs of that kingdom, had been excluded the council, in obedience to orders tranſmitted from the king.[h] And theſe were reaſons ſufficient, beſides the great difficulties under which they themſelves laboured, why the parliament was unwilling to ſend ſupplies to an army, which, though engaged in a cauſe much favoured by them, was commanded by their declared enemies. They even intercepted ſome ſmall ſuccours ſent thither by the king.

The king, as he had neither money, arms, ammunition, nor proviſions, to ſpare from his own urgent wants, reſolved to embrace an expedient, which might at once relieve the neceſſities of the Iriſh proteſtants, and contribute to the advancement of his affairs in England. A truce with the rebels, he thought, would enable his ſubjects in Ireland to provide for their own ſupport, and would procure him the aſſiſtance of the army againſt the Engliſh parliament. But, as a treaty with a people ſo odious for their barbarities, and ſtill more for their religion, might be repreſented in invidious colours, and renew all thoſe calumnies with which he had been loaded, it was neceſſary to proceed with great caution in conducting that meaſure. A remonſtrance from the army was made to the Iriſh council, repreſenting their intolerable neceſſities, and craving permiſſion

to leave the kingdom. And, if that were refuſed, 'we muſt have recourſe,' they ſaid, 'to that firſt and primary law, with which God has endowed all men; we mean the law of nature, which teaches every creature [i] to preſerve itſelf.' Memorials, both to the king and parliament, were tranſmitted by the juſtices and council, in which their wants and dangers are ſtrongly ſet forth;[k] and, though the general expreſſions in theſe memorials might perhaps be ſuſpected of exaggeration, yet, from the particular facts mentioned, from the confeſſion of the Engliſh parliament itſelf,[l] and from the very nature of things, it is apparent that the Iriſh proteſtants were reduced to great extremities;[m] and it became prudent in the king, if not abſolutely neceſſary, to embrace ſome expedient which might ſecure them, for a time, from the ruin and miſery with which they were threatened.

Accordingly the king gave orders [n] to Ormond and the juſtices to conclude, for a year, a ceſſation of arms with the council of Kilkenny, by whom the Iriſh were governed, and to leave both ſides in poſſeſſion of their preſent advantages. The parliament, whoſe buſineſs it was to find fault with every meaſure adopted by the oppoſite party, and who would not loſe ſo fair an opportunity of reproaching the king with his favour to the Iriſh papiſts, exclaimed loudly againſt this ceſſation. Among other reaſons they inſiſted upon the divine vengeance, which England might juſtly dread, for tolerating antichriſtian idolatry, on pretence of civil contracts and political agreements.[o] Religion, though every day employed as the engine of their own ambitious purpoſes, was ſuppoſed too ſacred to be yielded up to the temporal intereſts or ſafety of kingdoms.

After the ceſſation there was little neceſſity, as well as no means, of ſubſiſting the army in Ireland. The king ordered

Ormond, who was entirely devoted to him, to ſend over conſiderable bodies of it to England. Moſt of them continued in his ſervice: but a ſmall part, having imbibed in Ireland a ſtrong animoſity againſt the catholics, and hearing the king's party univerſally reproached with popery, ſoon after deſerted to the parliament.

Some Iriſh catholics came over with theſe troops, and joined the royal army, where they continued the ſame cruelties and diſorders to which they had been accuſtomed.[p] The parliament voted that no quarter, in any action, ſhould ever be given them: but prince Rupert, by making ſome repriſals, ſoon repreſſed this inhumanity.[q]

CHAPTER LVII.

CHARLES I.

INVASION OF THE SCOTS....BATTLE OF MARSTON-MOOR....BATTLE OF CROPREDY-BRIDGE....SECOND BATTLE OF NEWBURY....RISE AND CHARACTER OF THE INDEPENDENTS....SELF-DENYING ORDINANCE....FAIRFAX....CROMWELL....TREATY OF UXBRIDGE.... EXECUTION OF LAUD.

THE king had hitherto, during the courſe of the war, obtained many advantages over the parliament, and had raiſed himſelf from that low condition, into which he had at firſt fallen, to be nearly upon an equal footing with his adverſaries. Yorkſhire, and all the northern counties, were reduced by the marquis of Newcaſtle; and, excepting Hull, the parliament was maſter of no garriſon in theſe quarters. In the weſt, Plymouth alone, having been in vain beſieged by prince Maurice, reſiſted the king's authority; and, had it not been for the diſappointment in the enterpriſe of Glouceſter, the royal garriſons had reached, without interruption, from one end of the kingdom to the other, and had occupied a greater extent of ground than thoſe of the parliament. Many of the royaliſts flattered themſelves that the ſame vigorous ſpirit, which had elevated them to the preſent height of power, would ſtill favour their progreſs, and obtain

them a final victory over their enemies: but thoſe who judged more ſoundly obſerved that, beſides the acceſſion of the whole Scottiſh nation to the ſide of the parliament, the very principle on which the royal ſucceſſes had been founded was every day acquired, more and more, by the oppoſite party. The king's troops, full of gentry and nobility, had exerted a valour ſuperior to their enemies, and had hitherto been ſucceſsful in almoſt every rencounter: but, in proportion as the whole nation became warlike, by the continuance of civil diſcords, this advantage was more equally ſhared; and ſuperior numbers, it was expected, muſt at length obtain the victory. The king's troops alſo, ill paid, and deſtitute of every neceſſary, could not poſſibly be retained in equal diſcipline with the parliamentary forces, to whom all ſupplies were furniſhed from unexhauſted ſtores and treaſures. The ſeverity of manners, ſo much affected by theſe zealous religioniſts, aſſiſted their military inſtitutions; and the rigid inflexibility of character, by which the auſtere reformers of church and ſtate were diſtinguiſhed, enabled the parliamentary chiefs to reſtrain their ſoldiers within ſtricter rules and more exact order. And, while the king's officers indulged themſelves even in greater licenſes than thoſe to which, during times of peace, they had been accuſtomed, they were apt both to neglect their military duty, and to ſet a pernicious example of diſorder to the ſoldiers under their command.

At the commencement of the civil war all Engliſhmen, who ſerved abroad, were invited over, and treated with extraordinary reſpect; and moſt of them, being deſcended of good families, and, by reaſon of their abſence, unacquainted with the new principles which depreſſed the dignity of the crown, had inliſted under the royal ſtandard. But it is obſervable that, though the military profeſſion requires great genius and long experience in the principal commanders, all its ſubordinate duties may be diſ-

charged by ordinary talents, and from ſuperficial practice. Citizens and country gentlemen ſoon became excellent officers; and the generals of greateſt fame and capacity happened, all of them, to ſpring up on the ſide of the parliament. The courtiers and great nobility, in the other party, checked the growth of any extraordinary genius among the ſubordinate officers; and every man there, as in a regular eſtabliſhed government, was confined to the ſtation in which his birth had placed him.

The king, that he might make preparations during winter for the enſuing campaign, ſummoned to Oxford all the members of either houſe who adhered to his intereſts; and endeavoured to avail himſelf of the name of parliament, ſo paſſionately cheriſhed by the Engliſh nation.[s] The houſe of peers was pretty full; and, beſides the nobility employed in different parts of the kingdom, it contained twice as many members as commonly voted at Weſtminſter. The houſe of commons conſiſted of about one hundred and forty; which amounted not to above half of the other houſe of commons.[t]

So extremely light had government hitherto lain upon the people, that the very name of Exciſe was unknown to them; and, among other evils ariſing from theſe domeſtic wars, was the introduction of that impoſt into England. The parliament at Weſtminſter having voted an exciſe on beer, wine, and other commodities, thoſe at Oxford imitated the example, and conferred that revenue on the king. And, in order to enable him the better to recruit his army, they granted him the ſum of one hundred thouſand pounds, to be levied by way of loan upon the ſubject. The king circulated privy ſeals, counterſigned by the ſpeakers of both houſes, requiring the loan of particular ſums from ſuch perſons as lived within his quarters.[u] Neither party had as yet got above the pedantry of reproaching their antagoniſts with theſe illegal meaſures.

The Weſtminſter parliament paſſed a whimſical ordinance, commanding all the inhabitants of London and the neighbourhood to retrench a meal a week, and to pay the value of it for the ſupport of the public cauſe.[x] It is eaſily imagined that, provided the money were paid, they troubled themſelves but little about the execution of their ordinance.

Such was the king's ſituation that, in order to reſtore peace to the nation, he had no occaſion to demand any other terms than the reſtoring of the laws and conſtitution; the replacing him in the ſame rights which had ever been enjoyed by his predeceſſors; and the re-eſtabliſhing, on its ancient baſis, the whole frame of government, civil as well as eccleſiaſtical. And, that he might facilitate an end ſeemingly ſo deſirable, he offered to employ means equally popular, an univerſal act of oblivion, and a toleration or indulgence to tender conſciences. Nothing therefore could contribute more to his intereſts than every diſcourſe of peace, and every diſcuſſion of the conditions upon which that bleſſing could be obtained. For this reaſon he ſolicited a treaty on all occaſions, and deſired a conference and mutual examination of pretenſions, even when he entertained no hopes that any concluſion could poſſibly reſult from it.

For like reaſons the parliament prudently avoided, as much as poſſible, all advances towards negociation, and were cautious not to expoſe too eaſily to cenſure thoſe high terms, which their apprehenſions or their ambition made them previouſly demand of the king. Though their partiſans were blinded with the thickeſt veil of religious prejudices, they dreaded to bring their pretenſions to the teſt, or lay them open before the whole nation. In oppoſition to the ſacred authority of the laws, to the venerable precedents of many ages, the popular leaders were aſhamed to plead nothing but fears and jealouſies, which were not avowed by the conſtitution, and for which neither the per-

ſonal character of Charles, ſo full of virtue, nor his ſituation, ſo deprived of all independent authority, ſeemed to afford any reaſonable foundation. Grievances which had been fully redreſſed; powers, either legal or illegal, which had been entirely renounced; it ſeemed unpopular and invidious, and ungrateful, any farther to inſiſt on.

The king, that he might abate the univerſal veneration paid to the name of parliament, had iſſued a declaration, in which he ſet forth all the tumults by which himſelf and his partiſans in both houſes had been driven from London; and he thence inferred that the aſſembly at Weſtminſter was no longer a free parliament, and, till its liberty were reſtored, was entitled to no authority. As this declaration was an obſtacle to all treaty, ſome contrivance ſeemed requiſite, in order to elude it.

A letter was written, in the foregoing ſpring, to the earl of Eſſex, and ſubſcribed by the prince, the duke of York, and forty-three noblemen.[y] They there exhort him to be an inſtrument of reſtoring peace, and to promote that happy end with thoſe by whom he was employed. Eſſex, though much diſguſted with the parliament, though apprehenſive of the extremities to which they were driving, though deſirous of any reaſonable accommodation, yet was ſtill more reſolute to preſerve an honourable fidelity to the truſt repoſed in him. He replied that, as the paper ſent him neither contained any addreſs to the houſes of parliament, nor any acknowledgment of their authority, he could not communicate it to them. Like propoſals had been reiterated by the king, during the enſuing campaign, and ſtill met with a like anſwer from Eſſex.[z]

In order to make a new trial for a treaty, the king this ſpring ſent another letter, directed to the lords and commons of parliament aſſembled at Weſtminſter: but, as he alſo mentioned in the letter the lords and commons of parliament aſſembled at

Oxford, and declared that his ſcope and intention was to make proviſion that all the members of both houſes might ſecurely meet in a full and free aſſembly, the parliament, perceiving the concluſion implied, refuſed all treaty upon ſuch terms.[a] And the king, who knew what ſmall hopes there were of accommodation, would not abandon the pretenſions which he had aſſumed, nor acknowledge the two houſes more expreſsly for a free parliament.

This winter the famous Pym died; a man as much hated by one party as reſpected by the other. At London he was conſidered as the victim to national liberty, who had abridged his life by inceſſant labours for the intereſts of his country;[b] at Oxford he was believed to have been ſtruck with an uncommon diſeaſe, and to have been conſumed with vermin, as a mark of divine vengeance for his multiplied crimes and treaſons. He had been ſo little ſtudious of improving his private fortune in thoſe civil wars, of which he had been one principal author, that the parliament thought themſelves obliged, from gratitude, to pay the debts which he had contracted.[c] We now return to the military operations, which during the winter were carried on with vigour in ſeveral places, notwithſtanding the ſeverity of the ſeaſon.

The forces brought from Ireland were landed at Moſtyne, in North Wales; and, being put under the command of lord Biron, they beſieged and took the caſtles of Hawarden, Beeſton, Acton, and Deddington-houſe.[d] No place in Cheſhire or the neighbourhood now adhered to the parliament, except Nantwich; and to this town Biron laid ſiege during the depth of winter. Sir Thomas Fairfax, alarmed at ſo conſiderable a progreſs of the royaliſts, aſſembled an army of four thouſand men in Yorkſhire; and, having joined ſir William Brereton, was approaching to the camp of the enemy. Biron and his ſoldiers, elated with ſuc-

ceſſes obtained in Ireland, had entertained the moſt profound contempt for the parliamentary forces; a diſpoſition which, if confined to the army, may be regarded as a good preſage of victory; but, if it extend to the general, is the moſt probable forerunner of a defeat. Fairfax ſuddenly attacked the camp of the royaliſts. The ſwelling of the river by a thaw divided one part of the army from the other. That part expoſed to Fairfax, being beaten from their poſt, retired into the church of Acton, and were all taken priſoners: the other retreated with precipitation.[e] And thus was diſſipated, or rendered uſeleſs, that body of forces which had been drawn from Ireland; and the parliamentary party revived in thoſe north-weſt counties of England.

INVASION FROM SCOTLAND. 1644.

The invaſion from Scotland was attended with conſequences of much greater importance. The Scots, having ſummoned in vain the town of Newcaſtle, which was fortified by the vigilance of ſir Thomas Glenham, paſſed the Tyne, and faced the marquis of Newcaſtle, who lay at Durham with an army of fourteen thouſand men.[f] After ſome military operations, in which that nobleman reduced the enemy to difficulties for forage and proviſions, he received intelligence of a great diſaſter which had befallen his forces in Yorkſhire. Colonel Bellaſis, whom he had left with a conſiderable body of troops, was totally routed at Selby by ſir Thomas Fairfax, who had returned from Cheſhire with his victorious forces.[g] Afraid of being encloſed between two armies, Newcaſtle retreated; and, Leven having joined lord Fairfax, they ſat down before York, to which the army of the loyaliſts had retired. But, as the parliamentary and Scottiſh forces were not numerous enough to inveſt ſo large a town, divided by a river, they contented themſelves with incommoding

it by a looſe blockade; and affairs remained for ſome time in ſuſpenſe between theſe oppoſite armies.[h]

During this winter and ſpring other parts of the kingdom had alſo been infeſted with war. Hopeton, having aſſembled an army of fourteen thouſand men, endeavoured to break into Suſſex, Kent, and the ſouthern aſſociation, which ſeemed well diſpoſed to receive him. Waller fell upon him at Cherington, and gave him a defeat[i] of conſiderable importance. In another quarter, ſiege being laid to Newark by the parliamentary forces, prince Rupert prepared himſelf for relieving a town of ſuch conſequence, which alone preſerved the communication open between the king's ſouthern and northern quarters.[k] With a ſmall force, but that animated by his active courage, he broke through the enemy, relieved the town, and totally diſſipated that army of the parliament.[l]

But, though fortune ſeemed to have divided her favours between the parties, the king found himſelf, in the main, a conſiderable loſer by this winter campaign; and he prognoſticated a ſtill worſe event from the enſuing ſummer. The preparations of the parliament were great, and much exceeded the ſlender reſources of which he was poſſeſſed. In the eaſtern aſſociation they levied fourteen thouſand men, under the earl of Manchester, ſeconded by Cromwell.[m] An army of ten thouſand men, under Eſſex, another of nearly the ſame force under Waller, was aſſembled in the neighbourhood of London. The former was deſtined to oppoſe the king: the latter was appointed to march into the weſt; where prince Maurice, with a ſmall army which went continually to decay, was ſpending his time in vain before Lyme, an inconſiderable town upon the ſea coaſt. The utmoſt efforts of the king could not raiſe above ten thouſand men at Oxford; and on their ſword chiefly, during the campaign, were theſe to depend for ſubſiſtence.

The queen, terrified with the dangers which every way environed her, and afraid of being encloſed in Oxford, in the middle of the kingdom, fled to Exeter, where ſhe hoped to be delivered unmoleſted of the child with which ſhe was now pregnant, and whence ſhe had the means of an eaſy eſcape into France, if preſſed by the forces of the enemy. She knew the implacable hatred which the parliament, on account of her religion and her credit with the king, had all along born her. Laſt ſummer the commons had ſent up to the peers an impeachment of high treaſon againſt her; becauſe, in his utmoſt diſtreſſes, ſhe had aſſiſted her huſband with arms and ammunition, which ſhe had bought in Holland." And, had ſhe fallen into their hands, neither her ſex, ſhe knew, nor high ſtation, could protect her againſt inſults at leaſt, if not danger, from thoſe haughty republicans, who ſo little affected to conduct themſelves by the maxims of gallantry and politeneſs.

From the beginning of theſe diſſenſions the parliament, it is remarkable, had in all things aſſumed an extreme aſcendant over their ſovereign, and had diſplayed a violence, and arrogated an authority, which on his ſide would not have been compatible either with his temper or his ſituation. While he ſpoke perpetually of pardoning all rebels, they talked of nothing but the puniſhment of delinquents and malignants; while he offered a toleration and indulgence to tender conſciences, they threatened the utter extirpation of prelacy; to his profeſſions of lenity they oppoſed declarations of rigour; and the more the ancient tenor of the laws inculcated a reſpectful ſubordination to the crown, the more careful were they, by their lofty pretenſions, to cover that defect under which they laboured.

BATTLE OF MARSTON-MOOR.

THEIR great advantages in the north ſeemed to ſecond their ambition, and finally to promiſe them ſucceſs in their unwarrantable enterpriſes. Manchester, having taken Lincoln, had united his army to that of Leven and Fairfax; and York was now cloſely beſieged by their combined forces. That town, though vigorouſly defended by Newcaſtle, was reduced to extremity; and the parliamentary generals, after enduring great loſſes and fatigues, flattered themſelves that all their labours would at laſt be crowned by this important conqueſt. On a ſudden they were alarmed by the approach of prince Rupert. This gallant commander, having vigorouſly exerted himſelf in Lancaſhire and Cheſhire, had collected a conſiderable army; and, joining ſir Charles Lucas, who commanded Newcaſtle's horſe, haſtened to the relief of York with an army of twenty thouſand men. The Scottiſh and parliamentary generals raiſed the ſiege, and, drawing up on Marſton-moor, purpoſed to give battle to the royaliſts. Prince Rupert approached the town by another quarter, and, interpoſing the river Ouſe between him and the enemy, ſafely joined his forces to thoſe of Newcaſtle. The marquis endeavoured to perſuade him that, having ſo ſucceſsfully effected his purpoſe, he ought to be content with the preſent advantages, and leave the enemy, now much diminiſhed by their loſſes and diſcouraged by their ill ſucceſs, to diſſolve by thoſe mutual diſſenſions [a] which had begun to take place among them. The prince, whoſe martial diſpoſition was not ſufficiently tempered with prudence, nor ſoftened by complaiſance, pretending poſitive orders from the king, without deigning to conſult with Newcaſtle, whoſe merits and ſervices deſerved better treatment, immediately iſſued orders for battle, and led out an army to

Marſton-moor.[p] This action was obſtinately diſputed between the moſt numerous armies that were engaged during the courſe of theſe wars; nor were the forces on each ſide much different in number. Fifty thouſand Britiſh troops were led to mutual ſlaughter; and the victory ſeemed long undecided between them. Prince Rupert, who commanded the right wing of the royaliſts, was oppoſed to Cromwell;[q] who conducted the choice troops of the parliament, inured to danger under that determined leader, animated by zeal, and confirmed by the moſt rigid diſcipline. After a ſharp combat the cavalry of the royaliſts gave way; and ſuch of the infantry as ſtood next them were likewiſe born down, and put to flight. Newcaſtle's regiment alone, reſolute to conquer or to periſh, obſtinately kept their ground, and maintained, by their dead bodies, the ſame order in which they had at firſt been ranged. In the other wing ſir Thomas Fairfax and colonel Lambert, with ſome troops, broke through the royaliſts; and, tranſported by the ardour of purſuit, ſoon reached their victorious friends, engaged alſo in purſuit of the enemy. But, after that tempeſt was paſt, Lucas, who commanded the royaliſts in this wing, reſtoring order to his broken forces, made a furious attack on the parliamentary cavalry, threw them into diſorder, puſhed them upon their own infantry, and put that whole wing to rout. When ready to ſeize on their carriages and baggage, he perceived Cromwell, who was now returned from purſuit of the other wing. Both ſides were not a little ſurpriſed to find that they muſt again renew the combat for that victory which each of them thought they had already obtained. The front of the battle was now exactly counterchanged; and each army occupied the ground which had been poſſeſſed by the enemy at the beginning of the day. This ſecond battle was equally furious and deſperate with the firſt; but, after the utmoſt efforts of courage by both parties, victory wholly turned to

the ſide of the parliament. The prince's train of artillery was taken, and his whole army puſhed off the field of battle.[r]

This event was in itſelf a mighty blow to the king, but proved more fatal in its conſequences. The marquis of Newcaſtle was entirely loſt to the royal cauſe. That nobleman, the ornament of the court and of his order, had been engaged, contrary to the natural bent of his diſpoſition, into theſe military operations, merely by a high ſenſe of honour and a perſonal regard to his maſter. The dangers of war were diſregarded by his valour, but its fatigues were oppreſſive to his natural indolence. Munificent and generous in his expenſe; polite and elegant in his taſte; courteous and humane in his behaviour; he brought a great acceſſion of friends and of credit to the party which he embraced. But, amidſt all the hurry of action, his inclinations were ſecretly drawn to the ſoft arts of peace, in which he took delight; and the charms of poetry, muſic, and converſation, often ſtole him from his rougher occupations. He choſe ſir William Davenant, an ingenious poet, for his lieutenant-general; the other perſons, in whom he placed confidence, were more the inſtruments of his refined pleaſures than qualified for the buſineſs which they undertook; and the ſeverity and application requiſite to the ſupport of diſcipline were qualities in which he was entirely wanting.[s]

When prince Rupert, contrary to his advice, reſolved on this battle, and iſſued all orders without communicating his intentions to him, he took the field....but, he ſaid, merely as a volunteer; and, except by his perſonal courage, which ſhone out with luſtre, he had no ſhare in the action. Enraged to find that all his ſucceſsful labours were rendered abortive by one act of fatal temerity, terrified with the proſpect of renewing his pains and fatigue, he reſolved no longer to maintain the few reſources which remained to a deſperate cauſe; and thought that the ſame

regard to honour, which had at firſt called him to arms, now required him to abandon a party where he met with ſuch unworthy treatment. Next morning early he ſent word to the prince that he was inſtantly to leave the kingdom; and without delay he went to Scarborough, where he found a veſſel which carried him beyond ſea. During the enſuing years, till the reſtoration, he lived abroad in great neceſſity, and ſaw with indifference his opulent fortune ſequeſtered by thoſe who aſſumed the government of England. He diſdained, by ſubmiſſion or compoſition, to ſhew obeiſance to their uſurped authority; and the leaſt favourable cenſors of his merit allowed that the fidelity and ſervices of a whole life had ſufficiently atoned for one raſh action, into which his paſſion had betrayed him.[t]

Prince Rupert, with equal precipitation, drew off the remains of his army, and retired into Lancaſhire. Glenham in a few days was obliged to ſurrender York; and he marched out his garriſon with all the honours of war.[u] Lord Fairfax, remaining in the city, eſtabliſhed his government in that whole county, and ſent a thouſand horſe into Lancaſhire, to join with the parliamentary forces in that quarter, and attend the motions of prince Rupert; the Scottiſh army marched northwards, in order to join the earl of Calender, who was advancing with ten thouſand additional forces,[x] and to reduce the town of Newcaſtle, which they took by ſtorm; the earl of Mancheſter, with Cromwell, to whom the fame of this great victory was chiefly aſcribed, and who was wounded in the action, returned to the eaſtern aſſociation, in order to recruit his army.[y]

While theſe events paſſed in the north the king's affairs in the ſouth were conducted with more ſucceſs and greater abilities. Ruthven, a Scotchman, who had been created earl of Brentford, acted, under the king, as general.

BATTLE OF CROPREDY-BRIDGE.

THE parliament ſoon completed their two armies, commanded by Eſſex and Waller. The great zeal of the city facilitated this undertaking. Many ſpeeches were made to the citizens by the parliamentary leaders, in order to excite their ardour. Hollis, in particular, exhorted them not to ſpare, on this important occaſion, either their purſes, their perſons, or their prayers;[z] and, in general, it muſt be confeſſed they were ſufficiently liberal in all theſe contributions. The two generals had orders to march with their combined armies towards Oxford; and, if the king retired into that city, to lay ſiege to it, and by one enterpriſe put a period to the war. The king, leaving a numerous garriſon in Oxford, paſſed with dexterity between the two armies, which had taken Abingdon, and had encloſed him on both ſides.[a] He marched towards Worceſter; and Waller received orders from Eſſex to follow him and watch his motions, while he himſelf marched into the weſt in queſt of prince Maurice. Waller had approached within two miles of the royal camp, and was only ſeparated from it by the Severn, when he received intelligence that the king was advanced to Bewdly, and had directed his courſe towards Shrewſbury. In order to prevent him, Waller preſently diſlodged, and haſtened by quick marches to that town; while the king, ſuddenly returning upon his own footſteps, reached Oxford; and, having reinforced his army from that garriſon, now in his turn marched out in queſt of Waller. The two armies faced each other at Cropredy-bridge, near Banbury; but the Charwell ran between them. Next day the king decamped, and marched towards Daventry. Waller ordered a conſiderable detachment to paſs the bridge, with an intention of falling on the rear of the royaliſts. He was repulſed, routed, and purſued

with conſiderable loſs.[b] Stunned and diſheartened with this blow, his army decayed and melted away by deſertion; and the king thought he might ſafely leave it, and march weſtward againſt Eſſex. That general, having obliged prince Maurice to raiſe the ſiege of Lyme, having taken Weymouth and Taunton, advanced ſtill in his conqueſts, and met with no equal oppoſition. The king followed him; and, having reinforced his army from all quarters, appeared in the field with an army ſuperior to the enemy. Eſſex, retreating into Cornwall, informed the parliament of his danger, and deſired them to ſend an army which might fall on the king's rear. General Middleton received a commiſſion to execute that ſervice; but came too late. Eſſex's army, cooped up in a narrow corner at Leſtithiel, deprived of all forage and proviſions, and ſeeing no proſpect of ſuccour, was reduced to the laſt extremity. The king preſſed them on one ſide, prince Maurice on another, ſir Richard Granville on a third. Eſſex, Robarts, and ſome of the principal officers, eſcaped in a boat to Plymouth: Balfour, with his horſe, paſſed the king's outpoſts in a thick miſt, and got ſafely to the garriſons of his own party. The foot under Skippon were obliged to ſurrender their arms, artillery, baggage, and ammunition; and, being conducted to the parliament's quarters, were diſmiſſed. By this advantage, which was much boaſted of, the king, beſides the honour of the enterpriſe, obtained what he ſtood extremely in need of: the parliament, having preſerved the men, loſt what they could eaſily repair.[c]

No ſooner did this intelligence reach London, than the committee of the two kingdoms voted thanks to Eſſex for his fidelity, courage, and conduct; and this method of proceeding, no leſs politic than magnanimous, was preſerved by the parliament throughout the whole courſe of the war. Equally indulgent to their friends and rigorous to their enemies, they employed with

ſucceſs theſe two powerful engines of reward and puniſhment, in confirmation of their authority.

SECOND BATTLE OF NEWBURY.

THAT the king might have leſs reaſon to exult in the advantages which he had obtained in the weſt, the parliament oppoſed to him very numerous forces. Having armed anew Eſſex's ſubdued, but not diſheartened, troops, they ordered Mancheſter and Cromwell to march with their recruited forces from the eaſtern aſſociation; and, joining their armies to thoſe of Waller and Middleton, as well as of Eſſex, offer battle to the king. Charles choſe his poſt at Newbury, where the parliamentary armies, under the earl of Mancheſter, attacked him with great vigour; and that town was a ſecond time the ſcene of the bloody animoſities of the Engliſh. Eſſex's ſoldiers, exhorting one another to repair their broken honour, and revenge the diſgrace of Leſtithiel, made an impetuous aſſault on the royaliſts; and, having recovered ſome of their cannon, loſt in Cornwall, could not forbear embracing them with tears of joy. Though the king's troops defended themſelves with valour, they were overpowered by numbers; and the night came very ſeaſonably to their relief, and prevented a total overthrow. Charles, leaving his baggage and cannon in Dennington-caſtle, near Newbury, forthwith retreated to Wallingford, and thence to Oxford. There prince Rupert and the earl of Northampton joined him, with conſiderable bodies of cavalry. Strengthened by this reinforcement, he ventured to advance towards the enemy, now employed before Dennington-caſtle.[d] Eſſex, detained by ſickneſs, had not joined the army ſince his misfortune in Cornwall. Mancheſter, who commanded, though his forces were much ſuperior to thoſe of the king, declined an engagement, and rejected Crom-

well's advice, who earneſtly preſſed him not to neglect ſo favourable an opportunity of finiſhing the war. The king's army, by bringing off their cannon from Dennington-caſtle in the face of the enemy, ſeemed to have ſufficiently repaired the honour which they had loſt at Newbury; and Charles, having the ſatisfaction to excite, between Mancheſter and Cromwell, equal animoſities with thoſe which formerly took place between Eſſex[c] and Waller, diſtributed his army into winter quarters.

Thoſe conteſts among the parliamentary generals, which had diſturbed their military operations, were renewed in London during the winter ſeaſon; and, each being ſupported by his own faction, their mutual reproaches and accuſations agitated the whole city and parliament. There had long prevailed in that party a ſecret diſtinction, which, though the dread of the king's power had hitherto ſuppreſſed it, yet, in proportion as the hopes of ſucceſs became nearer and more immediate, began to diſcover itſelf with high conteſt and animoſity. The Independents, who had at firſt taken ſhelter and concealed themſelves under the wings of the Preſbyterians, now evidently appeared a diſtinct party, and betrayed very different views and pretenſions. We muſt here endeavour to explain the genius of this party, and of its leaders, who henceforth occupy the ſcene of action.

RISE AND CHARACTER OF THE INDEPENDENTS.

During thoſe times, when the enthuſiaſtic ſpirit met with ſuch honour and encouragement, and was the immediate means of diſtinction and preferment, it was impoſſible to ſet bounds to theſe holy fervours, or confine, within any natural limits, what was directed towards an infinite and a ſupernatural object. Every man, as prompted by the warmth of his temper, excited by emulation, or ſupported by his habits of hypocriſy, endeavoured

to diſtinguiſh himſelf beyond his fellows, and to arrive at a higher pitch of ſaintſhip and perfection. In proportion to its degree of fanaticiſm, each ſect became dangerous and deſtructive; and, as the independents went a note higher than the preſbyterians, they could leſs be reſtrained within any bounds of temper and moderation. From this diſtinction, as from a firſt principle, were derived, by a neceſſary conſequence, all the other differences of theſe two ſects.

The independents rejected all eccleſiaſtical eſtabliſhments, and would admit of no ſpiritual courts, no government among paſtors, no interpoſition of the magiſtrate in religious concerns, no fixed encouragement annexed to any ſyſtem of doctrines or opinions. According to their principles, each congregation, united voluntarily and by ſpiritual ties, compoſed within itſelf a ſeparate church, and exerciſed a juriſdiction, but one deſtitute of temporal ſanctions, over its own paſtor and its own members. The election alone of the congregation was ſufficient to beſtow the ſacerdotal character; and, as all eſſential diſtinction was denied between the laity and the clergy, no ceremony, no inſtitution, no vocation, no impoſition of hands, was, as in all other churches, ſuppoſed requiſite to convey a right to holy orders. The enthuſiaſm of the preſbyterians led them to reject the authority of prelates, to throw off the reſtraint of liturgies, to retrench ceremonies, to limit the riches and authority of the prieſtly office; the fanaticiſm of the independents, exalted to a higher pitch, aboliſhed eccleſiaſtical government, diſdained creeds and ſyſtems, neglected every ceremony, and confounded all ranks and orders. The ſoldier, the merchant, the mechanic, indulging the fervours of zeal, and guided by the illapſes of the ſpirit, reſigned himſelf to an inward and ſuperior direction, and was conſecrated, in a manner, by an immediate intercourſe and communication with heaven.

The catholics, pretending to an infallible guide, had juſtified, upon that principle, their doctrine and practice of perſecution; the preſbyterians, imagining that ſuch clear and certain tenets, as they themſelves adopted, could be rejected only from a criminal and pertinacious obſtinacy, had hitherto gratified to the full their bigoted zeal in a like doctrine and practice; the independents, from the extremity of the ſame zeal, were led into the milder principles of toleration. Their mind, ſet afloat in the wide ſea of inſpiration, could confine itſelf within no certain limits; and the ſame variations, in which an enthuſiaſt indulged himſelf, he was apt, by a natural train of thinking, to permit in others. Of all chriſtian ſects this was the firſt which, during its proſperity as well as its adverſity, always adopted the principle of toleration; and it is remarkable that ſo reaſonable a doctrine owed its origin not to reaſoning, but to the height of extravagance and fanaticiſm.

Popery and prelacy alone, whoſe genius ſeemed to tend towards ſuperſtition, were treated by the independents with rigour. The doctrines too of fate or deſtiny were deemed by them eſſential to all religion. In theſe rigid opinions the whole ſectaries, amidſt all their other differences, unanimouſly concurred.

The political ſyſtem of the independents kept pace with their religious. Not content with confining to very narrow limits the power of the crown, and reducing the king to the rank of firſt magiſtrate, which was the project of the preſbyterians; this ſect, more ardent in the purſuit of liberty, aſpired to a total abolition of the monarchy, and even of the ariſtocracy; and projected an entire equality of rank and order in a republic quite free and independent. In conſequence of this ſcheme they were declared enemies to all propoſals for peace, except on ſuch terms as they knew it was impoſſible to obtain; and they adhered to that maxim, which is in the main prudent and political, that whoever

draws the ſword againſt his ſovereign ſhould throw away the ſcabbard. By terrifying others with the fear of vengeance from the offended prince they had engaged greater numbers into the oppoſition againſt peace, than had adopted their other principles with regard to government and religion. And the great ſucceſs, which had already attended the arms of the parliament, and the greater, which was ſoon expected, confirmed them ſtill farther in this obſtinacy.

Sir Harry Vane, Oliver Cromwell, Nathaniel Fiennes, and Oliver St. John, the ſolicitor-general, were regarded as the leaders of the independents. The earl of Eſſex, diſguſted with a war of which he began to foreſee the pernicious conſequences, adhered to the preſbyterians, and promoted every reaſonable plan of accommodation. The earl of Northumberland, fond of his rank and dignity, regarded with horror a ſcheme which, if it took place, would confound himſelf and his family with the loweſt in the kingdom. The earls of Warwick and Denbigh, ſir Philip Stapleton, ſir William Waller, Hollis, Maſſey, Whitlocke, Maynard, Glyn, had embraced the ſame ſentiments. In the parliament a conſiderable majority, and a much greater in the nation, were attached to the preſbyterian party; and it was only by cunning and deceit at firſt, and afterwards by military violence, that the independents could entertain any hopes of ſucceſs.

The earl of Manchester, provoked at the impeachment which the king had lodged againſt him, had long forwarded the war with alacrity; but, being a man of humanity and good principles, the view of public calamities, and the proſpect of a total ſubverſion of government, began to moderate his ardour, and inclined him to promote peace on any ſafe or honourable terms. He was even ſuſpected, in the field, not to have puſhed to the utmoſt againſt the king the advantages obtained by the arms of the parliament; and Cromwell, in the public debates, revived

the accuſation that this nobleman had wilfully neglected at Dennington-caſtle a favourable opportunity of finiſhing the war by a total defeat of the royaliſts. 'I ſhewed him evidently,' ſaid Cromwell, 'how this ſucceſs might be obtained; and only deſired leave, with my own brigade of horſe, to charge the king's army in their retreat; leaving it in the earl's choice, if he thought proper, to remain neuter with the reſt of his forces: but, notwithſtanding my importunity, he poſitively refuſed his conſent; and gave no other reaſon but that, if we met with a defeat, there was an end of our pretenſions: we ſhould all be rebels and traitors,[f] and be executed and forfeited by law.'

Mancheſter, by way of recrimination, informed the parliament that, at another time, Cromwell having propoſed ſome ſcheme to which it ſeemed improbable the parliament would agree, he inſiſted and ſaid, 'My lord, if you will ſtick firm to honeſt men, you ſhall find yourſelf at the head of an army which ſhall give law both to king and parliament.' 'This diſcourſe,' continued Mancheſter, 'made the greater impreſſion on me, becauſe I knew the lieutenant-general to be a man of very deep deſigns; and he has even ventured to tell me that it never would be well with England till I were Mr. Montague, and there were ne'er a lord or peer[g] in the kingdom.' So full was Cromwell of theſe republican projects, that, notwithſtanding his habits of profound diſſimulation, he could not ſo carefully guard his expreſſions but that ſometimes his favourite notions would eſcape him.

Theſe violent diſſenſions brought matters to extremity, and puſhed the independents to the execution of their deſigns. The preſent generals, they thought, were more deſirous of protracting than finiſhing the war; and, having entertained a ſcheme for preſerving ſtill ſome balance in the conſtitution, they were afraid of entirely ſubduing the king, and reducing him to a condition where he ſhould not be entitled to aſk any conceſſions. A new

model alone of the army could bring complete victory to the parliament, and free the nation from thoſe calamities under which it laboured. But how to effect this project was the difficulty. The authority, as well as merits, of Eſſex was very great with the parliament. Not only he had ſerved them all along with the moſt exact and ſcrupulous honour; it was, in ſome meaſure, owing to his popularity that they had ever been enabled to levy an army, or make head againſt the royal cauſe. Mancheſter, Warwick, and the other commanders, had likewiſe great credit with the public; nor were there any hopes of prevailing over them, but by laying the plan of an oblique and artificial attack, which would conceal the real purpoſe of their antagoniſts. The Scots and Scottiſh commiſſioners, jealous of the progreſs of the independents, were a new obſtacle, which, without the utmoſt art and ſubtlety, it would be difficult to ſurmount.[h] The methods by which this intrigue was conducted are ſo ſingular, and ſhew ſo fully the genius of the age, that we ſhall give a detail of them as they are delivered by lord Clarendon.[i]

A faſt on the laſt Wedneſday of every month had been ordered by the parliament at the beginning of theſe commotions; and their preachers on that day were careful to keep alive, by their vehement declamations, the popular prejudices entertained againſt the king, againſt prelacy, and againſt popery. The king, that he might combat the parliament with their own weapons, appointed likewiſe a monthly faſt, when the people ſhould be inſtructed in the duties of loyalty and of ſubmiſſion to the higher powers; and he choſe the ſecond Friday of every month for the devotion of the royaliſts.[k] It was now propoſed and carried in parliament, by the independents, that a new and more ſolemn faſt ſhould be voted; when they ſhould implore the divine aſſiſtance for extricating them from thoſe perplexities in which they

were at preſent involved. On that day the preachers, after many political prayers, took care to treat of the reigning diviſions in the parliament, and aſcribed them entirely to the ſelfiſh ends purſued by the members. In the hands of thoſe members, they ſaid, are lodged all the conſiderable commands of the army, all the lucrative offices in the civil adminiſtration; and, while the nation is falling every day into poverty, and groans under an inſupportable load of taxes, theſe men multiply poſſeſſion on poſſeſſion, and will in a little time be maſters of all the wealth of the kingdom. That ſuch perſons, who fatten on the calamities of their country, will ever embrace any effectual meaſure for bringing them to a period, or enſuring final ſucceſs to the war, cannot reaſonably be expected. Lingering expedients alone will be purſued; and, operations in the field concurring, in the ſame pernicious end, with deliberations in the cabinet, civil commotions will for ever be perpetuated in the nation. After exaggerating theſe diſorders the miniſters returned to their prayers; and beſought the Lord that he would take his own work into his own hand; and, if the inſtruments whom he had hitherto employed were not worthy to bring to a concluſion ſo glorious a deſign, that he would inſpire others more fit, who might perfect what was begun, and, by eſtabliſhing true religion, put a ſpeedy period to the public miſeries.

On the day ſubſequent to theſe devout animadverſions, when the parliament met, a new ſpirit appeared in the looks of many. Sir Henry Vane told the commons that, if ever God appeared to them, it was in the ordinances of yeſterday: that, as he was credibly informed by many, who had been preſent in different congregations, the ſame lamentations and diſcourſes, which the godly preachers had made before them, had been heard in other churches: that ſo remarkable a concurrence could proceed only from the immediate operation of the Holy Spirit: that he there-

fore entreated them, in vindication of their own honour, in conſideration of their duty to God and their country, to lay aſide all private ends, and renounce every office attended with profit or advantage: that the abſence of ſo many members, occupied in different employments, had rendered the houſe extremely thin, and diminiſhed the authority of their determinations: and that he could not forbear, for his own part, accuſing himſelf as one who enjoyed a gainful office, that of treaſurer of the navy; and, though he was poſſeſſed of it before the civil commotions, and owed it not to the favour of the parliament, yet was he ready to reſign it, and to ſacrifice, to the welfare of his country, every conſideration of private intereſt and advantage.

Cromwell next acted his part, and commended the preachers for having dealt with them plainly and impartially, and told them of their errors, of which they were ſo unwilling to be informed. Though they dwelt on many things, he ſaid, on which he had never before reflected; yet, upon revolving them, he could not but confeſs that, till there were a perfect reformation in theſe particulars, nothing which they undertook could poſſibly proſper. The parliament, no doubt, continued he, had done wiſely, on the commencement of the war, in engaging ſeveral of its members in the moſt dangerous parts of it, and thereby ſatisfying the nation that they intended to ſhare all hazards with the meaneſt of the people: but affairs are now changed. During the progreſs of military operations there have ariſen, in the parliamentary armies, many excellent officers, who are qualified for higher commands than they are now poſſeſſed of. And, though it becomes not men, engaged in ſuch a cauſe, to put truſt in the arm of fleſh, yet he could aſſure them that their troops contained generals fit to command in any enterpriſe in Chriſtendom. The army indeed, he was ſorry to ſay it, did not correſpond, by its diſcipline, to the merit of the officers; nor were

there any hopes, till the preſent vices and diſorders which prevail among the ſoldiers were repreſſed by a new model, that their forces would ever be attended with ſignal ſucceſs in any undertaking.

In oppoſition to this reaſoning of the independents, many of the preſbyterians ſhewed the inconvenience and danger of the projected alteration. Whitlocke, in particular, a man of honour, who loved his country, though in every change of government he always adhered to the ruling power, ſaid that, beſides the ingratitude of diſcarding, and that by fraud and artifice, ſo many noble perſons, to whom the parliament had hitherto owed its chief ſupport, they would find it extremely difficult to ſupply the place of men now formed by experience to command and authority; that the rank alone, poſſeſſed by ſuch as were members of either houſe, prevented envy, retained the army in obedience, and gave weight to military orders; that greater confidence might ſafely be repoſed in men of family and fortune than in mere adventurers, who would be apt to entertain ſeparate views from thoſe which were embraced by the perſons who employed them; that no maxim of policy was more undiſputed than the neceſſity of preſerving an inſeparable connexion between the civil and military powers, and of retaining the latter in ſtrict ſubordination to the former; that the Greeks and Romans, the wiſeſt and moſt paſſionate lovers of liberty, had ever intruſted to their ſenators the command of armies, and had maintained an unconquerable jealouſy of all mercenary forces; and that ſuch men alone, whoſe intereſts were involved in thoſe of the public, and who poſſeſſed a vote in the civil deliberations, would ſufficiently reſpect the authority of parliament, and never could be tempted to turn the ſword againſt thoſe by whom it was committed to them.[1]

SELF-DENYING ORDINANCE.

NOTWITHSTANDING theſe reaſonings, a committee was choſen to frame what was called the Self-denying Ordinance, by which the members of both houſes were excluded from all civil and military employments, except a few offices which were ſpecified. This ordinance was the ſubject of great debate, and for a long time rent the parliament and city into factions. But at laſt, by the prevalence of envy with ſome, with others of falſe modeſty, with a great many of the republican and independent views, it paſſed the houſe of commons, and was ſent to the upper houſe. The peers, though the ſcheme was in part levelled againſt their order; though all of them were, at bottom, extremely averſe to it; though they even ventured once to reject it; yet poſſeſſed ſo little authority, that they durſt not perſevere in oppoſing the reſolution of the commons; and they thought it better policy, by an unlimited compliance, to ward off that ruin which they ſaw approaching.[m] The ordinance, therefore, having paſſed both houſes, Eſſex, Warwick, Mancheſter, Denbigh, Waller, Brereton, and many others, reſigned their commands, and received the thanks of parliament for their good ſervices. A penſion of ten thouſand pounds a year was ſettled on Eſſex.

It was agreed to recruit the army to twenty-two thouſand men; and ſir Thomas Fairfax was appointed general.[n] It is remarkable that his commiſſion did not run, like that of Eſſex, in the name of the king and parliament, but in that of the parliament alone; and the article concerning the ſafety of the king's perſon was omitted. So much had animoſities increaſed between the parties.[o] Cromwell, being a member of the lower houſe, ſhould have been diſcarded with the others; but this impartiality would have diſappointed all the views of thoſe who

had introduced the ſelf-denying ordinance. He was ſaved by a ſubtilty, and by that political craft, in which he was ſo eminent. At the time when the other officers reſigned their commiſſions care was taken that he ſhould be ſent with a body of horſe to relieve Taunton, beſieged by the royaliſts. His abſence being remarked, orders were diſpatched for his immediate attendance in parliament; and the new general was directed to employ ſome other officer in that ſervice. A ready compliance was feigned; and the very day was named on which, it was averred, he would take his place in the houſe. But Fairfax, having appointed a rendezvous of the army, wrote to the parliament, and deſired leave to retain, for ſome days, lieutenant-general Cromwell, whoſe advice, he ſaid, would be uſeful in ſupplying the place of thoſe officers who had reſigned. Shortly after he begged, with much earneſtneſs, that they would allow Cromwell to ſerve that campaign.[p] And thus the independents, though the minority, prevailed by art and cunning over the preſbyterians, and beſtowed the whole military authority, in appearance, upon Fairfax; in reality, upon Cromwell.

FAIRFAX. 1645.

Fairfax was a perſon equally eminent for courage and for humanity; and, though ſtrongly infected with prejudices, or principles derived from religious and party zeal, he ſeems never, in the courſe of his public conduct, to have been diverted, by private intereſt or ambition, from adhering ſtrictly to theſe principles. Sincere in his profeſſions, diſintereſted in his views, open in his conduct, he had formed one of the moſt ſhining characters of the age; had not the extreme narrowneſs of his genius, in every thing but in war, and his embarraſſed and confuſed elocution on every occaſion but when he gave orders, diminiſhed

the luſtre of his merit, and rendered the part which he acted, even when veſted with the ſupreme command, but ſecondary and ſubordinate.

CROMWELL.

CROMWELL, by whoſe ſagacity and inſinuation Fairfax was entirely governed, is one of the moſt eminent and moſt ſingular perſonages that occurs in hiſtory; the ſtrokes of his character are as open and ſtrongly marked as the ſchemes of his conduct were, during the time, dark and impenetrable. His extenſive capacity enabled him to form the moſt enlarged projects; his enterpriſing genius was not diſmayed with the boldeſt and moſt dangerous. Carried, by his natural temper, to magnanimity, to grandeur, and to an imperious and domineering policy, he yet knew, when neceſſary, to employ the moſt profound diſſimulation, the moſt oblique and refined artifice, the ſemblance of the greateſt moderation and ſimplicity. A friend to juſtice, though his public conduct was one continued violation of it; devoted to religion, though he perpetually employed it as the inſtrument of his ambition; he was engaged in crimes from the proſpect of ſovereign power, a temptation which is in general irreſiſtible to human nature. And, by uſing well that authority which he had attained by fraud and violence, he has leſſened, if not overpowered, our deteſtation of his enormities by our admiration of his ſucceſs and of his genius.

TREATY OF UXBRIDGE.

DURING this important tranſaction of the ſelf-denying ordinance the negociations for peace were likewiſe carried on, though with ſmall hopes of ſucceſs. The king having ſent two meſſages, one from Eveſham,[q] another from Taviſtock,[r] deſiring a treaty, the

parliament diſpatched commiſſioners to Oxford, with propoſals as high as if they had obtained a complete victory.[s] The advantages gained during the campaign, and the great diſtreſſes of the royaliſts, had much elevated their hopes; and they were reſolved to repoſe no truſt in men inflamed with the higheſt animoſity againſt them, and who, were they poſſeſſed of power, were fully authoriſed by law to puniſh all their opponents as rebels and traitors.

The king, when he conſidered the propoſals and the diſpoſition of the parliament, could not expect any accommodation, and had no proſpect but of war, or of total ſubmiſſion and ſubjection; yet, in order to ſatisfy his own party, who were impatient for peace, he agreed to ſend the duke of Richmond and earl of Southampton with an anſwer to the propoſals of the parliament, and at the ſame time to deſire a treaty upon their mutual demands and pretenſions.[t] It now became neceſſary for him to retract his former declaration, that the two houſes at Weſtminſter were not a free parliament; and accordingly he was induced, though with great reluctance, to give them, in his anſwer, the appellation of the parliament of England.[u] But it appeared afterwards, by a letter which he wrote to the queen, and of which a copy was taken at Naſeby, that he ſecretly entered an explanatory proteſt in his council-book; and he pretended that, though he had called them the parliament, he had not thereby acknowledged them for ſuch.[x] This ſubtlety, which has been frequently objected to Charles, is the moſt noted of thoſe very few inſtances from which the enemies of this prince have endeavoured to load him with the imputation of inſincerity; and inferred that the parliament could repoſe no confidence in his profeſſions and declarations, not even in his laws and ſtatutes. There is, however, it muſt be confeſſed, a difference univerſally avowed between ſimply giving to men the appellation which they aſſume and the

formal acknowledgment of their title to it; nor is any thing more common and familiar in all public tranſactions.

The time of place and treaty being ſettled, ſixteen commiſſioners from the king met at Uxbridge, with twelve authoriſed by the parliament, attended by the Scottiſh commiſſioners. It was agreed that the Scottiſh and parliamentary commiſſioners ſhould give in their demands, with regard to three important articles, religion, the militia, and Ireland; and that theſe ſhould be ſucceſſively diſcuſſed in conference with the king's commiſſioners.[y] It was ſoon found impracticable to come to any agreement with regard to any of theſe articles.

In the ſummer 1643, while the negociations were carried on with Scotland, the parliament had ſummoned an aſſembly at Weſtminſter, conſiſting of one hundred and twenty-one divines and thirty laymen, celebrated in their party for piety and learning. By their advice alterations were made in the thirty-nine articles, or in the metaphyſical doctrines of the church; and, what was of greater importance, the liturgy was entirely aboliſhed, and in its ſtead a new directory for worſhip was eſtabliſhed; by which, ſuitably to the ſpirit of the puritans, the utmoſt liberty, both in praying and preaching, was indulged to the public teachers. By the ſolemn league and covenant epiſcopacy was abjured, as deſtructive to all true piety; and a national engagement, attended with every circumſtance that could render a promiſe ſacred and obligatory, was entered into with the Scots, never to ſuffer its re-admiſſion. All theſe meaſures ſhewed little ſpirit of accommodation in the parliament; and the king's commiſſioners were not ſurpriſed to find the eſtabliſhment of preſbytery and the directory poſitively demanded, together with the ſubſcription of the covenant, both by the king and kingdom.[z]

Had Charles been of a diſpoſition to neglect all theological controverſy, he yet had been obliged, in good policy, to adhere

to epiſcopal juriſdiction, not only becauſe it was favourable to monarchy, but becauſe all his adherents were paſſionately devoted to it; and to abandon them, in what they regarded as ſo important an article, was for ever to relinquiſh their friendſhip and aſſiſtance. But Charles had never attained ſuch enlarged principles. He deemed biſhops eſſential to the very being of a chriſtian church; and he thought himſelf bound, by more ſacred ties than thoſe of policy, or even of honour, to the ſupport of that order. His conceſſions, therefore, on this head, he judged ſufficient, when he agreed that an indulgence ſhould be given to tender conſciences with regard to ceremonies; that the biſhops ſhould exerciſe no act of juriſdiction or ordination, without the conſent and counſel of ſuch preſbyters as ſhould be choſen by the clergy of each dioceſe; that they ſhould reſide conſtantly in their dioceſe, and be bound to preach every Sunday; that pluralities be aboliſhed; that abuſes in eccleſiaſtical courts be redreſſed; and that a hundred thouſand pounds be levied on the biſhops' eſtates and the chapter lands, for payment of debts contracted by the parliament.[a] Theſe conceſſions, though conſiderable, gave no ſatisfaction to the parliamentary commiſſioners; and, without abating any thing of their rigour on this head, they proceeded to their demands with regard to the militia.

The king's partiſans had all along maintained that the fears and jealouſies of the parliament, after the ſecurities ſo early and eaſily given to public liberty, were either feigned or groundleſs; and that no human inſtitution could be better poiſed and adjuſted than was now the government of England. By the abolition of the ſtar chamber and court of high commiſſion, the prerogative, they ſaid, has loſt all that coercive power by which it had formerly ſuppreſſed or endangered liberty; by the eſtabliſhment of triennial parliaments it can have no leiſure to acquire new powers, or guard itſelf, during any time. from the

inſpection of that vigilant aſſembly; by the ſlender revenue of the crown no king can ever attain ſuch influence as to procure a repeal of theſe ſalutary ſtatutes; and, while the prince commands no military force, he will in vain by violence attempt an infringement of laws, ſo clearly defined by means of late diſputes, and ſo paſſionately cheriſhed by all his ſubjects. In this ſituation, ſurely, the nation, governed by ſo virtuous a monarch, may, for the preſent, remain in tranquillity, and try whether it be not poſſible, by peaceful arts, to elude that danger with which it is pretended its liberties are ſtill threatened.

But, though the royaliſts inſiſted on theſe plauſible topics before the commencement of war, they were obliged to own that the progreſs of civil commotions had ſomewhat abated the force and evidence of this reaſoning. If the power of the militia, ſaid the oppoſite party, be intruſted to the king, it would not now be difficult for him to abuſe that authority. By the rage of inteſtine diſcord his partiſans are inflamed into an extreme hatred againſt their antagoniſts; and have contracted, no doubt, ſome prejudices againſt popular privileges, which, in their apprehenſion, have been the ſource of ſo much diſorder. Were the arms of the ſtate, therefore, put entirely into ſuch hands, what public ſecurity, it may be demanded, can be given to liberty, or what private ſecurity to thoſe who, in oppoſition to the letter of the law, have ſo generouſly ventured their lives in its defence? In compliance with this apprehenſion, Charles offered that the arms of the ſtate ſhould be intruſted, during three years, to twenty commiſſioners, who ſhould be named either by common agreement between him and the parliament, or one half by him, the other by the parliament; and, after the expiration of that term, he inſiſted that his conſtitutional authority over the militia ſhould again return to him.[b]

The parliamentary commiſſioners at firſt demanded that the power of the ſword ſhould for ever be intruſted to ſuch perſons as the parliament alone ſhould appoint:[c] but afterwards they relaxed ſo far as to require that authority only for ſeven years; after which it was not to return to the king, but to be ſettled by bill, or by common agreement between him and his parliament.[d] The king's commiſſioners aſked, whether jealouſies and fears were all on one ſide; and whether the prince, from ſuch violent attempts and pretenſions as he had experienced, had not at leaſt as great reaſon to entertain apprehenſions for his authority as they for their liberty? whether there were any equity in ſecuring only one party, and leaving the other, during the ſpace of ſeven years, entirely at the mercy of their enemies? whether, if unlimited power were intruſted to the parliament during ſo long a period, it would not be eaſy for them to frame the ſubſequent bill in the manner moſt agreeable to themſelves, and keep for ever poſſeſſion of the ſword, as well as of every article of civil power and juriſdiction?[e]

The truth is, after the commencement of war it was very difficult, if not impoſſible, to find ſecurity for both parties, eſpecially for that of the parliament. Amidſt ſuch violent animoſities power alone could enſure ſafety; and the power of one ſide was neceſſarily attended with danger to the other. Few or no inſtances occur in hiſtory of an equal, peaceful, and durable accommodation, that has been concluded between two factions which had been inflamed into civil war.

With regard to Ireland, there were no greater hopes of agreement between the parties. The parliament demanded that the truce with the rebels ſhould be declared null; that the management of the war ſhould be given over entirely to the parliament; and that, after the conqueſt of Ireland, the nomination of the lord-lieutenant and of the judges, or, in other words,

the ſovereignty of that kingdom, ſhould likewiſe remain in their hands.[f]

What rendered an accommodation more deſperate was, that the demands on theſe three heads, however exorbitant, were acknowledged, by the parliamentary commiſſioners, to be nothing but preliminaries. After all theſe were granted, it would be neceſſary to proceed to the diſcuſſion of thoſe other demands, ſtill more exorbitant, which a little before had been tranſmitted to the king at Oxford. Such ignominious terms were there inſiſted on, that worſe could ſcarcely be demanded were Charles totally vanquiſhed, a priſoner, and in chains. The king was required to attaint, and except from a general pardon, forty of the moſt conſiderable of his Engliſh ſubjects, and nineteen of his Scottiſh, together with all popiſh recuſants, in both kingdoms, who had born arms for him. It was inſiſted that forty-eight more, with all the members who had ſitten in either houſe at Oxford, all lawyers and divines who had embraced the king's party, ſhould be rendered incapable of any office, be forbidden the exerciſe of their profeſſion, be prohibited from coming within the verge of the court, and forfeit the third of their eſtates to the parliament. It was required that whoever had born arms for the king ſhould forfeit the tenth of their eſtates, or, if that did not ſuffice, the ſixth, for the payment of public debts. As if royal authority were not ſufficiently annihilated by ſuch terms, it was demanded that the court of wards ſhould be aboliſhed; that all the conſiderable officers of the crown, and all the judges, ſhould be appointed by parliament; and that the right of peace and war ſhould not be exerciſed without the conſent of that aſſembly.[g] The preſbyterians, it muſt be confeſſed, after inſiſting on ſuch conditions, differed only in words from the independents, who required the eſtabliſhment of a pure republic. When the debates had been carried on to no purpoſe during

twenty days among the commiſſioners, they ſeparated, and returned; thoſe of the king to Oxford, thoſe of the parliament to London.

EXECUTION OF LAUD.

A LITTLE before the commencement of this fruitleſs treaty a deed was executed by the parliament, which proved their determined reſolution to yield nothing, but to proceed in the ſame violent and imperious manner with which they had at firſt entered on theſe dangerous enterpriſes. Archbiſhop Laud, the moſt favourite miniſter of the king, was brought to the ſcaffold; and in this inſtance the public might ſee that popular aſſemblies, as by their very number they are in a great meaſure exempt from the reſtraint of ſhame, ſo, when they alſo overleap the bounds of law, naturally break out into acts of the greateſt tyranny and injuſtice.

From the time that Laud had been committed the houſe of commons, engaged in enterpriſes of greater moment, had found no leiſure to finiſh his impeachment; and he had patiently endured ſo long an impriſonment without being brought to any trial. After the union with Scotland the bigoted prejudices of that nation revived the like ſpirit in England; and the ſectaries reſolved to gratify their vengeance in the puniſhment of this prelate, who had ſo long, by his authority and by the execution of penal laws, kept their zealous ſpirit under confinement. He was accuſed of high treaſon in endeavouring to ſubvert the fundamental laws, and of other high crimes and miſdemeanors. The ſame illegality of an accumulative crime and a conſtructive evidence which appeared in the caſe of Strafford, the ſame violence and iniquity in conducting the trial, are conſpicuous throughout the whole courſe of this proſecution. The groundleſs charge of popery, though belied by his whole life and con-

duct, was continually urged againſt the priſoner, and every error rendered unpardonable by this imputation, which was ſuppoſed to imply the height of all enormities. 'This man, my lords,' ſaid ſerjeant Wilde, concluding his long ſpeech againſt him, 'is like Naaman the Syrian;[h] a great man, but a leper.'

We ſhall not enter into a detail of this matter, which, at preſent, ſeems to admit of little controverſy. It ſuffices to ſay that, after a long trial, and the examination of above a hundred and fifty witneſſes, the commons found ſo little likelihood of obtaining a judicial ſentence againſt Laud, that they were obliged to have recourſe to their legiſlative authority, and to paſs an ordinance for taking away the life of this aged prelate. Notwithſtanding the low condition into which the houſe of peers was fallen, there appeared ſome intention of rejecting this ordinance; and the popular leaders were again obliged to apply to the multitude, and to extinguiſh, by threats of new tumults, the ſmall remains of liberty poſſeſſed by the upper houſe. Seven peers alone voted in this important queſtion; the reſt, either from ſhame or fear, took care to abſent themſelves.[i]

Laud, who had behaved during his trial with ſpirit and vigour of genius, ſunk not under the horrors of his execution; but, though he had uſually profeſſed himſelf apprehenſive of a violent death, he found all his fears to be diſſipated before that ſuperior courage by which he was animated. 'No one,' ſaid he, 'can be more willing to ſend me out of life than I am deſirous to go.' Even upon the ſcaffold, and during the intervals of his prayers, he was haraſſed and moleſted by ſir John Clotworthy, a zealot of the reigning ſect, and a great leader in the lower houſe. This was the time he choſe for examining the principles of the dying primate, and trepanning him into a confeſſion that he truſted for his ſalvation to the merits of good works, not to the death of the Redeemer.[k] Having extricated himſelf from

theſe theological toils, the archbiſhop laid his head on the block, and it was ſevered from the body at one blow.[1] Thoſe religious opinions for which he ſuffered contributed, no doubt, to the courage and conſtancy of his end. Sincere he undoubtedly was, and, however miſguided, actuated by pious motives in all his purſuits; and it is to be regretted that a man of ſuch ſpirit, who conducted his enterpriſes with ſo much warmth and induſtry, had not entertained more enlarged views, and embraced principles more favourable to the general happineſs of ſociety.

The great and important advantage, which the party gained by Strafford's death, may in ſome degree palliate the iniquity of the ſentence pronounced againſt him; but the execution of this old infirm prelate, who had ſo long remained an inoffenſive priſoner, can be aſcribed to nothing but vengeance and bigotry in thoſe ſevere religioniſts by whom the parliament was entirely governed. That he deſerved a better fate was not queſtioned by any reaſonable man; the degree of his merit, in other reſpects, was diſputed. Some accuſed him of recommending ſlaviſh doctrines, of promoting perſecution, and of encouraging ſuperſtition; while others thought that his conduct in theſe three particulars would admit of apology and extenuation.

That the letter of the law, as much as the moſt flaming court ſermon, indicates paſſive obedience, is apparent; and, though the ſpirit of a limited government ſeems to require, in extraordinary caſes, ſome mitigation of ſo rigorous a doctrine, it muſt be confeſſed that the preceding genius of the Engliſh conſtitution had rendered a miſtake in this particular very natural and excuſable. To inflict death, at leaſt on thoſe who depart from the exact line of truth in theſe nice queſtions, ſo far from being favourable to national liberty, ſavours ſtrongly of the ſpirit of tyranny and proſcription.

Toleration had hitherto been ſo little the principle of any Chriſtian ſect, that even the catholics, the remnant of the religion profeſſed by their forefathers, could not obtain from the Engliſh the leaſt indulgence. This very houſe of commons, in their famous remonſtrance, took care to juſtify themſelves, as from the higheſt imputation, from any intention to relax the golden reins of diſcipline, as they called them, or to grant any toleration:[m] and the enemies of the church were ſo fair from the beginning, as not to lay claim to liberty of conſcience, which they called a toleration for ſoul-murder. They openly challenged the ſuperiority, and even menaced the eſtabliſhed church with that perſecution, which they afterwards exerciſed againſt her with ſuch ſeverity. And, if the queſtion be conſidered in the view of policy, though a ſect already formed and advanced may with good reaſon demand a toleration, what title had the puritans to this indulgence, who were juſt on the point of ſeparation from the church, and whom, it might be hoped, ſome wholeſome and legal ſeverities would ſtill retain in obedience?[n]

Whatever ridicule, to a philoſophical mind, may be thrown on pious ceremonies, it muſt be confeſſed that, during a very religious age, no inſtitutions can be more advantageous to the rude multitude, and tend more to mollify that fierce and gloomy ſpirit of devotion to which they are ſubject. Even the Engliſh church, though it had retained a ſhare of popiſh ceremonies, may juſtly be thought too naked and unadorned, and ſtill to approach too near the abſtract and ſpiritual religion of the puritans. Laud and his aſſociates, by reviving a few primitive inſtitutions of this nature, corrected the error of the firſt reformers, and preſented, to the affrightened and aſtoniſhed mind, ſome ſenſible exterior obſervances, which might occupy it during its religious exerciſes, and abate the violence of its diſappointed efforts. The thought, no longer bent on that divine and

myſterious eſſence, ſo ſuperior to the narrow capacities of mankind, was able, by means of the new model of devotion, to relax itſelf in the contemplation of pictures, poſtures, veſtments, buildings; and all the fine arts, which miniſter to religion, thereby received additional encouragement. The primate, it is true, conducted this ſcheme not with the enlarged ſentiments and cool reflection of a legiſlator, but with the intemperate zeal of a ſectary; and, by overlooking the circumſtances of the times, ſerved rather to inflame that religious fury which he meant to repreſs. But this blemiſh is more to be regarded as a general imputation on the whole age than any particular failing of Laud's; and it is ſufficient for his vindication to obſerve that his errors were the moſt excuſable of all thoſe which prevailed during that zealous period.

CHAPTER LVIII.

CHARLES I.

MONTROSE'S VICTORIES....NEW MODEL OF THE ARMY....BATTLE OF NASEBY....SURRENDER OF BRISTOL....THE WEST CONQUERED BY FAIRFAX....DEFEAT OF MONTROSE....ECCLESIASTICAL AFFAIRS....KING GOES TO THE SCOTS AT NEWARK....END OF THE WAR....KING DELIVERED UP BY THE SCOTS.

MONTROSE'S VICTORIES. 1645.

WHILE the king's affairs declined in England ſome events happened in Scotland which ſeemed to promiſe him a more proſperous iſſue of the quarrel.

Before the commencement of theſe civil diſorders the earl of Montroſe, a young nobleman of a diſtinguiſhed family, returning from his travels, had been introduced to the king, and had made an offer of his ſervices; but, by the inſinuations of the marquis, afterwards duke of Hamilton, who poſſeſſed much of Charles's confidence, he had not been received with that diſtinction to which he thought himſelf juſtly entitled.° Diſguſted with this treatment, he had forwarded all the violence of the covenanters; and, agreeably to the natural ardour of his genius, he had employed himſelf, during the firſt Scottiſh inſurrection, with great zeal as well as ſucceſs, in levying and conducting their armies.

Being commiſſioned by the Tables to wait upon the king, while the royal army lay at Berwick, he was ſo gained by the civilities and careſſes of that monarch, that he thenceforth devoted himſelf entirely, though ſecretly, to his ſervice, and entered into a cloſe correſpondence with him. In the ſecond inſurrection a great military command was intruſted to him by the covenanters; and he was the firſt that paſſed the Tweed, at the head of their troops, in the invaſion of England. He found means, however, ſoon after to convey a letter to the king; and, by the infidelity of ſome about that prince, (Hamilton, as was ſuſpected) a copy of this letter was ſent to Leven, the Scottiſh general. Being accuſed of treachery, and a correſpondence with the enemy, Montroſe openly avowed the letter, and aſked the generals if they dared to call their ſovereign an enemy; and by this bold and magnanimous behaviour he eſcaped the danger of an immediate proſecution. As he was now fully known to be of the royal party, he no longer concealed his principles; and he endeavoured to draw thoſe who had entertained like ſentiments into a bond of aſſociation for his maſter's ſervice. Though thrown into priſon for this enterpriſe,[p] and detained ſome time, he was not diſcouraged; but ſtill continued, by his countenance and protection, to infuſe ſpirit into the diſtreſſed royaliſts. Among other perſons of diſtinction, who united themſelves to him, was lord Napier of Merchiſton, ſon of the famous inventor of the logarithms, the perſon to whom the title of 'Great Man' is more juſtly due than to any other whom his country ever produced.

There was in Scotland another party, who profeſſing equal attachment to the king's ſervice, pretended only to differ with Montroſe about the means of attaining the ſame end; and of that party duke Hamilton was the leader. This nobleman had cauſe to be extremely devoted to the king, not only by reaſon

of the connexion of blood, which united him to the royal family, but on account of the great confidence and favour with which he had ever been honoured by his maſter. Being accuſed by lord Rae, not without ſome appearance of probability, of a conſpiracy againſt the king, Charles was ſo far from harbouring ſuſpicion againſt him, that the very firſt time Hamilton came to court he received him into his bed-chamber, and paſſed alone the night with him.[q] But ſuch was the duke's unhappy fate or conduct, that he eſcaped not the imputation of treachery to his friend and ſovereign; and, though he at laſt ſacrificed his life in the king's ſervice, his integrity and ſincerity have not been thought by hiſtorians entirely free from blemiſh. Perhaps (and this is the more probable opinion) the ſubtilties and refinements of his conduct and his temporiſing maxims, though accompanied with good intentions, have been the chief cauſe of a ſuſpicion which has never yet been either fully proved or refuted. As much as the bold and vivid ſpirit of Montroſe prompted him to enterpriſing meaſures, as much was the cautious temper of Hamilton inclined to ſuch as were moderate and dilatory. While the former foretold that the Scottiſh covenanters were ſecretly forming an union with the Engliſh parliament, and inculcated the neceſſity of preventing them by ſome vigorous undertaking; the latter ſtill inſiſted that every ſuch attempt would precipitate them into meaſures to which otherwiſe they were not, perhaps, inclined. After the Scottiſh convention was ſummoned without the king's authority, the former exclaimed that their intentions were now viſible, and that, if ſome unexpected blow were not ſtruck to diſſipate them, they would arm the whole nation againſt the king; the latter maintained the poſſibility of outvoting the diſaffected party, and ſecuring by peaceful means the allegiance of the kingdom.[r] Unhappily for the royal cauſe, Hamilton's repreſentations met with more

credit from the king and queen than thoſe of Montroſe; and the covenanters were allowed, without interruption, to proceed in all their hoſtile meaſures. Montroſe then haſtened to Oxford; where his invectives againſt Hamilton's treachery, concurring with the general prepoſſeſſion, and ſupported by the unfortunate event of his counſels, were entertained with univerſal approbation. Influenced by the clamour of his party, more than his own ſuſpicions, Charles, as ſoon as Hamilton appeared, ſent him priſoner to Pendennis caſtle in Cornwall. His brother Laneric, who was alſo put under confinement, found means to make his eſcape, and to fly into Scotland.

The king's ears were now opened to Montroſe's counſels, who propoſed none but the boldeſt and moſt daring, agreeably to the deſperate ſtate of the royal cauſe in Scotland. Though the whole nation was ſubjected by the covenanters, though great armies were kept on foot by them, and every place guarded by a vigilant adminiſtration, he undertook, by his own credit, and that of the few friends who remained to the king, to raiſe ſuch commotions as would ſoon oblige the malcontents to recall thoſe forces which had ſo ſenſibly thrown the balance in favour of the parliament.[s] Not diſcouraged with the defeat at Marſton-moor, which rendered it impoſſible for him to draw any ſuccour from England, he was content to ſtipulate with the earl of Antrim, a nobleman of Ireland, for ſome ſupply of men from that country. And he himſelf, changing his diſguiſes, and paſſing through many dangers, arrived in Scotland; where he lay concealed in the borders of the Highlands, and ſecretly prepared the minds of his partiſans for attempting ſome great enterpriſe.[t]

No ſooner were the Iriſh landed, though not exceeding eleven hundred foot, very ill armed, than Montroſe declared himſelf, and entered upon that ſcene of action which has rendered his

name ſo celebrated. About eight hundred of the men of Athole flocked to his ſtandard. Five hundred men more, who had been levied by the covenanters, were perſuaded to embrace the royal cauſe; and with this combined force he haſtened to attack lord Elcho, who lay at Perth with an army of ſix thouſand men, aſſembled upon the firſt news of the Iriſh invaſion. Montroſe, inferior in number, totally unprovided with horſe, ill ſupplied with arms and ammunition, had nothing to depend on but the courage which he himſelf, by his own example, and the rapidity of his enterpriſes, ſhould inſpire into his raw ſoldiers. Having received the fire of the enemy, which was anſwered chiefly by a volley of ſtones, he ruſhed amidſt them with his ſword drawn, threw them into confuſion, puſhed his advantage, and obtained a complete victory, with the ſlaughter of two thouſand of the covenanters.[u]

This victory, though it augmented the renown of Montroſe, increaſed not his power or numbers. The far greater part of the kingdom was extremely attached to the covenant; and ſuch as bore an affection to the royal cauſe were terrified by the eſtabliſhed authority of the oppoſite party. Dreading the ſuperior power of Argyle, who, having joined his vaſſals to a force levied by the public, was approaching with a conſiderable army, Montroſe haſtened northwards, in order to rouſe again the marquis of Huntley and the Gordons, who, having before haſtily taken arms, had been inſtantly ſuppreſſed by the covenanters. He was joined on his march by the earl of Airly, with his two younger ſons, ſir Thomas and ſir David Ogilvy: the eldeſt was at that time a priſoner with the enemy. He attacked at Aberdeen the lord Burley, who commanded a force of two thouſand five hundred men. After a ſharp combat, by his undaunted courage, which in his ſituation was true policy, and was alſo not unaccompanied with military ſkill, he put the

enemy to flight, and in the purſuit did great execution upon them.[x]

But by this ſecond advantage he obtained not the end which he expected. The envious nature of Huntley, jealous of Montroſe's glory, rendered him averſe to join an army where he himſelf muſt be ſo much eclipſed by the ſuperior merit of the general. Argyle, reinforced by the earl of Lothian, was behind him with a great army; the militia of the northern counties, Murray, Roſs, Caithneſs, to the number of five thouſand men, oppoſed him in front, and guarded the banks of the Spey, a deep and rapid river. In order to elude theſe numerous armies he turned aſide into the hills, and ſaved his weak but active troops in Badenoch. After ſome marches and counter-marches Argyle came up with him at Faivy caſtle. This nobleman's character, though celebrated for political courage and conduct, was very low for military proweſs; and, after ſome ſkirmiſhes, in which he was worſted, he here allowed Montroſe to eſcape him. By quick marches through theſe inacceſſible mountains that general freed himſelf from the ſuperior forces of the covenanters.

Such was the ſituation of Montroſe, that very good or very ill fortune was equally deſtructive to him, and diminiſhed his army. After every victory his ſoldiers, greedy of ſpoil, but deeming the ſmalleſt acquiſition to be unexhauſted riches, deſerted in great numbers, and went home to ſecure the treaſures which they had acquired. Tired too, and ſpent with haſty and long marches in the depth of winter, through ſnowy mountains, unprovided with every neceſſary, they fell off, and left their general almoſt alone with the Iriſh, who, having no place to which they could retire, ſtill adhered to him in every fortune.

With theſe, and ſome reinforcements of the Atholemen and Macdonalds whom he had recalled, Montroſe fell ſuddenly upon

Argyle's country, and let looſe upon it all the rage of war; carrying off the cattle, burning the houſes, and putting the inhabitants to the ſword. This ſeverity, by which Montroſe ſullied his victories, was the reſult of private animoſity againſt the chieftain, as much as of zeal for the public cauſe. Argyle, collecting three thouſand men, marched in queſt of the enemy, who had retired with their plunder; and he lay at Innerlochy, ſuppoſing himſelf ſtill at a conſiderable diſtance from them. The earl of Seaforth, at the head of the garriſon of Inverneſs, who were veteran ſoldiers, joined to five thouſand new-levied troops of the northern counties, preſſed the royaliſts on the other ſide, and threatened them with inevitable deſtruction. By a quick and unexpected march Montroſe haſtened to Innerlochy, and preſented himſelf in order of battle before the ſurpriſed, but not affrightened, covenanters. Argyle alone, ſeized with a panic, deſerted his army, who ſtill maintained their ground, and gave battle to the royaliſts. After a vigorous reſiſtance they were defeated, and purſued with great ſlaughter.[y] And, the power of the Campbells (that is Argyle's name) being thus broken, the Highlanders, who were in general well affected to the royal cauſe, began to join Montroſe's camp in great numbers. Seaforth's army diſperſed of itſelf, at the very terror of his name. And lord Gordon, eldeſt ſon of Huntley, having eſcaped from his uncle Argyle, who had hitherto detained him, now joined Montroſe with no contemptible number of his followers, attended by his brother, the earl of Aboine.

The council at Edinburgh, alarmed at Montroſe's progreſs, began to think of a more regular plan of defence againſt an enemy whoſe repeated victories had rendered him extremely formidable. They ſent for Baillie, an officer of reputation, from England; and, joining him in command with Urrey, who had again inliſted himſelf among the king's enemies, they ſent them

to the field, with a conſiderable army, againſt the royaliſts. Montroſe, with a detachment of eight hundred men, had attacked Dundee, a town extremely zealous for the covenant; and, having carried it by aſſault, had delivered it up to be plundered by his ſoldiers; when Baillie and Urrey, with their whole force, were unexpectedly upon him.[z] His conduct and preſence of mind, in this emergence, appeared conſpicuous. Inſtantly he called off his ſoldiers from plunder, put them in order, ſecured his retreat by the moſt ſkilful meaſures; and, having marched ſixty miles, in the face of an enemy much ſuperior, without ſtopping, or allowing his ſoldiers the leaſt ſleep or refreſhment, he at laſt ſecured himſelf in the mountains.

Baillie and Urrey now divided their troops, in order the better to conduct the war againſt an enemy, who ſurpriſed them as much by the rapidity of his marches as by the boldneſs of his enterpriſes. Urrey, at the head of four thouſand men, met him at Alderne, near Inverneſs; and, encouraged by the ſuperiority of number (for the covenanters were double the royaliſts), attacked him in the poſt which he had choſen. Montroſe, having placed his right wing in ſtrong ground, drew the beſt of his forces to the other, and left no main body between them; a defect which he artfully concealed by ſhewing a few men through the trees and buſhes, with which that ground was covered. That Urrey might have no leiſure to perceive the ſtratagem, he inſtantly led his left wing to the charge; and, making a furious impreſſion upon the covenanters, drove them off the field, and gained a complete victory.[a] In this battle the valour of young Napier, ſon to the lord of that name, ſhone out with ſignal luſtre.

Baillie now advanced, in order to revenge Urrey's diſcomfiture; but at Alford he met himſelf with a like fate.[b] Montroſe, weak in cavalry, here lined his troops of horſe with infantry;

and, after putting the enemy's horſe to rout, fell with united force upon their foot, who were entirely cut in pieces, though with the loſs of the gallant lord Gordon on the part of the royaliſts.[c] And, having thus prevailed in ſo many battles, which his vigour ever rendered as deciſive as they were ſucceſsful, he ſummoned together all his friends and partiſans, and prepared himſelf for marching into the ſouthern provinces, in order to put a final period to the power of the covenanters, and diſſipate the parliament, which, with great pomp and ſolemnity, they had ſummoned to meet at St. Johnſtone's.

While the fire was thus kindled in the north of the iſland it blazed out with no leſs fury in the ſouth; the parliamentary and royal armies, as ſoon as the ſeaſon would permit, prepared to take the field, in hopes of bringing their important quarrel to a quick deciſion. The paſſing of the ſelf-denying ordinance had been protracted by ſo many debates and intrigues, that the ſpring was far advanced before it received the ſanction of both houſes; and it was thought dangerous by many to introduce, ſo near the time of action, ſuch great innovations into the army. Had not the punctilious principles of Eſſex engaged him, amidſt all the diſguſts which he received, to pay implicit obedience to the parliament, this alteration had not been effected without ſome fatal accident, ſince, notwithſtanding his prompt reſignation of the command,[d] a mutiny was generally apprehended. Fairfax, (or, more properly ſpeaking, Cromwell under his name) introduced at laſt the new model into the army, and threw the troops into a different ſhape. From the ſame men new regiments and new companies were formed, different officers appointed, and the whole military force put into ſuch hands as the independents could rely on. Beſides members of parliament, who were excluded, many officers, unwilling to ſerve under the new generals, threw up their commiſſions, and unwarily facili-

tated the project of putting the army entirely into the hands of that faction.

Though the diſcipline of the former parliamentary army was not contemptible, a more exact plan was introduced, and rigorouſly executed, by theſe new commanders. Valour indeed was very generally diffuſed over the one party as well as the other during this period; diſcipline alſo was attained by the forces of the parliament; but the perfection of the military art, in concerting the general plans of action and the operations of the field, ſeems ſtill, on both ſides, to have been in a great meaſure wanting. Hiſtorians at leaſt, perhaps from their own ignorance and inexperience, have not remarked any thing but a headlong impetuous conduct; each party hurrying to a battle, where valour and fortune chiefly determined the ſucceſs. The great ornament of hiſtory, during theſe reigns, are the civil, not the military, tranſactions.

NEW MODEL OF THE ARMY.

Never ſurely was a more ſingular army aſſembled than that which was now ſet on foot by the parliament. To the greater number of the regiments chaplains were not appointed; the officers aſſumed the ſpiritual duty, and united it with their military functions. During the intervals of action they occupied themſelves in ſermons, prayers, exhortations; and the ſame emulation there attended them, which in the field is ſo neceſſary to ſupport the honour of that profeſſion. Rapturous ecſtacies ſupplied the place of ſtudy and reflection; and, while the zealous devotees poured out their thoughts in unpremeditated harangues, they miſtook that eloquence, which, to their own ſurpriſe as well as that of others, flowed in upon them, for divine illuminations, and for illapſes of the Holy Spirit. Wherever they were quar-

tered they excluded the miniſter from his pulpit; and, uſurping his place, conveyed their ſentiments to the audience with all the authority which followed their power, their valour, and their military exploits, united to their apparent zeal and fervour. The private ſoldiers, ſeized with the ſame ſpirit, employed their vacant hours in prayer, in peruſing the holy ſcriptures, in ghoſtly conferences, where they compared the progreſs of their ſouls in grace, and mutually ſtimulated each other to farther advances in the great work of their ſalvation. When they were marching to battle the whole field reſounded, as well with pſalms and ſpiritual ſongs adapted to the occaſion as with the inſtruments of military muſic;[e] and every man endeavoured to drown the ſenſe of preſent danger in the proſpect of that crown of glory which was ſet before him. In ſo holy a cauſe wounds were eſteemed meritorious; death, martyrdom, and the hurry and dangers of action, inſtead of baniſhing their pious viſions, rather ſerved to impreſs their minds more ſtrongly with them.

The royaliſts were deſirous of throwing a ridicule on this fanaticiſm of the parliamentary armies, without being ſenſible how much reaſon they had to apprehend its dangerous conſequences. The forces aſſembled by the king at Oxford, in the weſt, and in other places, were equal, if not ſuperior, in number to their adverſaries, but actuated by a very different ſpirit. That licenſe, which had been introduced by want of pay, had riſen to a great height among them, and rendered them more formidable to their friends than to their enemies. Prince Rupert, negligent of the people, fond of the ſoldiery, had indulged the troops in unwarrantable liberties; Wilmot, a man of diſſolute manners, had promoted the ſame ſpirit of diſorder; and the licentious Goring, Gerrard, ſir Richard Granville, now carried it to a great pitch of enormity. In the weſt eſpecially, where Goring commanded, univerſal ſpoil and havoc were committed;

and the whole country was laid waſte by the rapine of the army. All diſtinction of parties being in a manner dropped, the moſt devoted friends of the church and monarchy wiſhed there for ſuch ſucceſs to the parliamentary forces as might put an end to theſe oppreſſions. The country people, deſpoiled of their ſubſtance, flocked together in ſeveral places armed with clubs and ſtaves; and, though they profeſſed an enmity to the ſoldiers of both parties, their hatred was in moſt places levelled chiefly againſt the royaliſts, from whom they had met with the worſt treatment. Many thouſands of theſe tumultuary peaſants were aſſembled in different parts of England, who deſtroyed all ſuch ſtraggling ſoldiers as they met with, and much infeſted the armies.[f]

The diſpoſition of the forces on both ſides was as follows: part of the Scottiſh army was employed in taking Pomfret, and other towns in Yorkſhire; part of it beſieged Carliſle, valiantly defended by ſir Thomas Glenham. Cheſter, where Biron commanded, had long been blockaded by ſir William Brereton, and was reduced to great difficulties. The king, being joined by the princes Rupert and Maurice, lay at Oxford with a conſiderable army, about fifteen thouſand men. Fairfax and Cromwell were poſted at Windſor with the new-modelled army, about twenty-two thouſand men. Taunton, in the county of Somerſet, defended by Blake, ſuffered a long ſiege from ſir Richard Granville, who commanded an army of about eight thouſand men; and, though the defence had been obſtinate, the garriſon was now reduced to the laſt extremity. Goring commanded in the weſt an army of nearly the ſame number.[g]

On opening the campaign the king formed the project of relieving Cheſter; Fairfax that of relieving Taunton. The king was firſt in motion. When he advanced to Draiton in Shropſhire Biron met him, and brought intelligence that his approach

had raiſed the ſiege, and that the parliamentary army had withdrawn. Fairfax, having reached Saliſbury in his road weſtward, received orders from the committee of both kingdoms, appointed for the management of the war, to return and lay ſiege to Oxford, now expoſed by the king's abſence. He obeyed, after ſending colonel Weldon to the weſt with a detachment of four thouſand men. On Weldon's approach Granville, who imagined that Fairfax with his whole army was upon him, raiſed the ſiege, and allowed this pertinacious town, now half taken and half burned, to receive relief: but the royaliſts, being reinforced with three thouſand horſe under Goring, again advanced to Taunton, and ſhut up Weldon, with his ſmall army, in that ruinous place.[h]

The king, having effected his purpoſe with regard to Cheſter, returned ſouthwards; and in his way ſat down before Leiceſter, a garriſon of the parliament's. Having made a breach in the wall, he ſtormed the town on all ſides; and, after a furious aſſault, the ſoldiers entered ſword in hand, and committed all thoſe diſorders to which their natural violence, eſpecially when inflamed by reſiſtance, is ſo much addicted.[i] A great booty was taken and diſtributed among them; fifteen hundred priſoners fell into the king's hands. This ſucceſs, which ſtruck a great terror into the parliamentary party, determined Fairfax to leave Oxford, which he was beginning to approach; and he marched towards the king, with an intention of offering him battle. The king was advancing towards Oxford, in order to raiſe the ſiege, which he apprehended was now begun; and both armies, ere they were aware, had advanced within ſix miles of each other. A council of war was called by the king, in order to deliberate concerning the meaſures which he ſhould now purſue. On the one hand it ſeemed more prudent to delay the combat; becauſe Gerrard, who lay in Wales with three thouſand men, might be

enabled in a little time to join the army; and Goring, it was hoped, would ſoon be maſter of Taunton; and, having put the weſt in full ſecurity, would then unite his forces to thoſe of the king, and give him an inconteſtable ſuperiority over the enemy. On the other hand prince Rupert, whoſe boiling ardour ſtill puſhed him on to battle, excited the impatient humour of the nobility and gentry, of which the army was full; and urged the many difficulties under which the royaliſts laboured, and from which nothing but a victory could relieve them: the reſolution was taken to give battle to Fairfax, and the royal army immediately advanced upon him.

BATTLE OF NASEBY.

At Naſeby was fought, with forces nearly equal, this deciſive and well diſputed action between the king and parliament. The main body of the royaliſts was commanded by the king himſelf; the right wing by prince Rupert, the left by ſir Marmaduke Langdale. Fairfax, ſeconded by Skippon, placed himſelf in the main body of the oppoſite army; Cromwell in the right wing; Ireton, Cromwell's ſon-in-law, in the left. The charge was begun, with his uſual celerity and uſual ſucceſs, by prince Rupert. Though Ireton made ſtout reſiſtance, and even after he was run through the thigh with a pike ſtill maintained the combat, till he was taken priſoner, yet was that whole wing broken, and purſued with precipitate fury by Rupert; he was even ſo inconſiderate as to loſe time in ſummoning and attacking the artillery of the enemy, which had been left with a good guard of infantry. The king led on his main body, and diſplayed in this action all the conduct of a prudent general, and all the valour of a ſtout ſoldier.[k] Fairfax and Skippon encountered him, and well ſupported that reputation which they had acquired. Skip-

pon, being dangerouſly wounded, was deſired by Fairfax to leave the field; but declared that he would remain there as long as one man maintained his ground.[l] The infantry of the parliament was broken, and preſſed upon by the king; till Fairfax, with great preſence of mind, brought up the reſerve, and renewed the combat. Meanwhile Cromwell, having led on his troops to the attack of Langdale, overbore the force of the royaliſts, and by his prudence improved that advantage which he had gained by his valour. Having purſued the enemy about a quarter of a mile, and detached ſome troops to prevent their rallying, he turned back upon the king's infantry, and threw them into the utmoſt confuſion. One regiment alone preſerved its order unbroken, though twice deſperately aſſailed by Fairfax: and that general, excited by ſo ſteady a reſiſtance, ordered Doyley, the captain of his life-guard, to give them a third charge in front while he himſelf attacked them in rear. The regiment was broken. Fairfax, with his own hands, killed an enſign, and, having ſeized the colours, gave them to a ſoldier to keep for him. The ſoldier, afterwards boaſting that he had won this trophy, was reproved by Doyley, who had ſeen the action. 'Let him retain that honour,' ſaid Fairfax,[m] 'I have to-day acquired enough beſide.'

Prince Rupert, ſenſible too late of his error, left the fruitleſs attack on the enemy's artillery, and joined the king, whoſe infantry was now totally diſcomfited. Charles exhorted this body of cavalry not to deſpair, and cried aloud to them, 'One charge more,[n] and we recover the day.' But the diſadvantages under which they laboured were too evident; and they could by no means be induced to renew the combat. Charles was obliged to quit the field, and leave the victory to the enemy.[o] The ſlain, on the ſide of the parliament, exceeded thoſe on the ſide of the king; they loſt a thouſand men, he not above eight hundred.

But Fairfax made five hundred officers priſoners, and four thouſand private men; took all the king's artillery and ammunition, and totally diſſipated his infantry; ſo that ſcarce any victory could be more complete than that which he obtained.

Among the other ſpoils was ſeized the king's cabinet, with the copies of his letters to the queen, which the parliament afterwards ordered to be publiſhed.[p] They choſe, no doubt, ſuch of them as they thought would reflect diſhonour on him; yet, upon the whole, the letters are written with delicacy and tenderneſs, and give an advantageous idea both of the king's genius and morals. A mighty fondneſs, it is true, and attachment, he expreſſes to his conſort, and often profeſſes that he never would embrace any meaſures which ſhe diſapproved; but ſuch declarations of civility and confidence are not always to be taken in a full literal ſenſe. And ſo legitimate an affection, avowed by the laws of God and man, may perhaps be excuſable towards a woman of beauty and ſpirit, even though ſhe was a papiſt.[q]

The Athenians, having intercepted a letter written by their enemy, Philip of Macedon, to his wife Olympia, ſo far from being moved by a curioſity of prying into the ſecrets of that relation, immediately ſent the letter to the queen unopened. Philip was not their ſovereign, nor were they inflamed with that violent animoſity againſt him which attends all civil commotions.

After the battle the king retreated with that body of horſe which remained entire, firſt to Hereford, then to Abergavenny; and remained ſome time in Wales, from the vain hope of raiſing a body of infantry in thoſe haraſſed and exhauſted quarters. Fairfax, having firſt retaken Leiceſter, which was ſurrendered upon articles, began to deliberate concerning his future enterpriſes. A letter was brought him written by Goring to the king,

and unfortunately intruſted to a ſpy of Fairfax's. Goring there informed the king that in three weeks he hoped to be maſter of Taunton, after which he would join his majeſty with all the forces in the weſt; and entreated him, in the mean while, to avoid coming to any general action. This letter, which, had it been ſafely delivered, had probably prevented the battle of Naſeby, ſerved now to direct the operations of Fairfax.[r] After leaving a body of three thouſand men to Pointz and Roſſiter, with orders to attend the king's motions, he marched immediately to the weſt, with a view of ſaving Taunton, and ſuppreſſing the only conſiderable force which now remained to the royaliſts.

In the beginning of the campaign Charles, apprehenſive of the event, had ſent the prince of Wales, then fifteen years of age, to the weſt, with the title of general, and had given orders, if he were preſſed by the enemy, that he ſhould make his eſcape into a foreign country, and ſave one part of the royal family from the violence of the parliament. Prince Rupert had thrown himſelf into Briſtol, with an intention of defending that important city. Goring commanded the army before Taunton.

On Fairfax's approach the ſiege of Taunton was raiſed; and the royaliſts retired to Lamport, an open town in the county of Somerſet. Fairfax attacked them in that poſt, beat them from it, killed about three hundred men, and took fourteen hundred priſoners.[s] After this advantage he ſat down before Bridgewater, a town eſteemed ſtrong, and of great conſequence in that country. When he had entered the outer town by ſtorm, Windham the governor, who had retired into the inner, immediately capitulated, and delivered up the place to Fairfax. The garriſon, to the number of two thouſand ſix hundred men, were made priſoners of war.

SURRENDER OF BRISTOL.

FAIRFAX, having next taken Bath and Sherborne, reſolved to lay ſiege to Briſtol, and made great preparations for an enterpriſe, which, from the ſtrength of the garriſon, and the reputation of prince Rupert the governor, was deemed of the laſt importance. But, ſo precarious in moſt men is this quality of military courage! a poorer defence was not made by any town during the whole war; and the general expectations were here extremely diſappointed. No ſooner had the parliamentary forces entered the lines by ſtorm than the prince capitulated, and ſurrendered the city to Fairfax.[t] A few days before he had written a letter to the king, in which he undertook to defend the place for four months, if no mutiny obliged him to ſurrender it. Charles, who was forming ſchemes and collecting forces for the relief of Briſtol, was aſtoniſhed at ſo unexpected an event, which was little leſs fatal to his cauſe than the defeat at Naſeby.[u] Full of indignation, he inſtantly recalled all prince Rupert's commiſſions, and ſent him a paſs to go beyond ſea.[x]

The king's affairs now went faſt to ruin in all quarters. The Scots, having made themſelves maſters of Carliſle[y] after an obſtinate ſiege, marched ſouthwards, and laid ſiege to Hereford; but were obliged to raiſe it on the king's approach. And this was the laſt glimpſe of ſucceſs which attended his arms. Having marched to the relief of Cheſter, which was anew beſieged by the parliamentary forces under colonel Jones, Pointz attacked his rear, and forced him to give battle. While the fight was continued with great obſtinacy, and victory ſeemed to incline to the royaliſts, Jones fell upon them from the other ſide, and put them to rout, with the loſs of ſix hundred ſlain and one thouſand priſoners.[z] The king, with the remains of his broken army,

fled to Newark, and thence eſcaped to Oxford, where he ſhut himſelf up during the winter ſeaſon.

The news which he received from every quarter were no leſs fatal than thoſe events which paſſed where he himſelf was preſent. Fairfax and Cromwell, after the ſurrender of Briſtol, having divided their forces, the former marched weſtwards, in order to complete the conqueſt of Devonſhire and Cornwall; the latter attacked the king's garriſons which lay to the eaſt of Briſtol. The Devizes were ſurrendered to Cromwell; Berkeley caſtle was taken by ſtorm; Wincheſter capitulated; Baſing-houſe was entered ſword in hand; and all theſe middle counties of England were in a little time reduced to obedience under the parliament.

THE WEST CONQUERED BY FAIRFAX. 1646.

The ſame rapid and uninterrupted ſucceſs attended Fairfax. The parliamentary forces, elated by paſt victories, governed by the moſt rigid diſcipline, met with no equal oppoſition from troops diſmayed by repeated defeats, and corrupted by licentious manners. After beating up the quarters of the royaliſts at Bovey-Tracy, Fairfax ſat down before Dartmouth, and in a few days entered it by ſtorm. Poudram caſtle being taken by him, and Exeter blockaded on all ſides; Hopton, a man of merit, who now commanded the royaliſts, having advanced to the relief of that town with an army of eight thouſand men, met with the parliamentary army at Torrington; where he was defeated, all his foot diſperſed, and he himſelf, with his horſe, obliged to retire into Cornwall. Fairfax followed him, and vigorouſly purſued the victory. Having encloſed the royaliſts at Truro, he forced the whole army, conſiſting of five thouſand men, chiefly cavalry, to ſurrender upon terms. The ſoldiers, delivering up their horſes and arms, were allowed to diſband, and received

twenty ſhillings apiece to carry them to their reſpective abodes. Such of the officers as deſired it had paſſes to retire beyond ſea; the others, having promiſed never more to bear arms, payed compoſitions to the parliament,[a] and procured [b] their pardon. And thus Fairfax, after taking Exeter, which completed the conqueſt of the weſt, marched, with his victorious army, to the centre of the kingdom, and fixed his camp at Newbury. The prince of Wales, in purſuance of the king's orders, retired to Scilly, thence to Jerſey; whence he went to Paris, where he joined the queen, who had fled thither from Exeter at the time the earl of Eſſex conducted the parliamentary army to the weſt.

In the other parts of England Hereford was taken by ſurpriſe; Cheſter ſurrendered; lord Digby, who had attempted, with twelve hundred horſe, to break into Scotland and join Montroſe, was defeated, at Sherburn in Yorkſhire, by colonel Copley; his whole force was diſperſed, and he himſelf was obliged to fly, firſt to the Iſle of Man, thence to Ireland. News too arrived that Montroſe himſelf, after ſome more ſucceſſes, was at laſt routed, and this only remaining hope of the royal party finally extinguiſhed.

When Montroſe deſcended into the ſouthern counties, the covenanters, aſſembling their whole force, met him with a numerous army, and gave him battle, but without ſucceſs, at Kilſyth.[c] This was the moſt complete victory that Montroſe ever obtained. The royaliſts put to ſword ſix thouſand of their enemies, and left the covenanters no remains of any army in Scotland. The whole kingdom was ſhaken with theſe repeated ſucceſſes of Montroſe; and many noblemen, who ſecretly favoured the royal cauſe, now declared openly for it, when they ſaw a force able to ſupport them. The marquis of Douglas, the earls of Annandale and Hartfield, the lords Fleming, Seton, Maderty,

Carnegy, with many others, flocked to the royal ſtandard. Edinburgh opened its gates, and gave liberty to all the priſoners there detained by the covenanters. Among the reſt was lord Ogilvy, ſon of Airly, whoſe family had contributed extremely to the victory gained at Kilſyth.[d]

DEFEAT OF MONTROSE.

DAVID Leſly was detached from the army in England, and marched to the relief of his diſtreſſed party in Scotland. Montroſe advanced ſtill farther to the ſouth, allured by vain hopes, both of rouſing to arms the earls of Hume, Traquaire, and Roxborough, who had promiſed to join him; and of obtaining from England ſome ſupply of cavalry, in which he was deficient. By the negligence of his ſcouts, Leſly, at Philip-haugh in the Foreſt, ſurpriſed his army, much diminiſhed in numbers from the deſertion of the Highlanders, who had retired to the hills, according to cuſtom, in order to ſecure their plunder. After a ſharp conflict, where Montroſe exerted great valour, his forces were routed by Leſly's cavalry;[e] and he himſelf was obliged to fly with his broken forces into the mountains, where he again prepared himſelf for new battles and new enterpriſes.[f]

The covenanters uſed the victory with rigour. Their priſoners, ſir Robert Spotiſwood, ſecretary of ſtate, and ſon to the late primate, ſir Philip Niſbet, ſir William Rollo, colonel Nathaniel Gordon, Andrew Guthry, ſon of the biſhop of Murray, William Murray, ſon of the earl of Tullibardine, were condemned and executed. The ſole crime imputed to the ſecretary was his delivering to Montroſe the king's commiſſion to be captain-general of Scotland. Lord Ogilvy, who was again taken priſoner, would have undergone the ſame fate, had not his ſiſter found means to procure his eſcape by changing clothes with him. For this

inſtance of courage and dexterity ſhe met with harſh uſage. The clergy ſolicited the parliament that more royaliſts might be executed, but could not obtain their requeſt.[g]

After all theſe repeated diſaſters, which every where befell the royal party, there remained only one body of troops on which fortune could exerciſe her rigour. Lord Aſtley, with a ſmall army of three thouſand men, chiefly cavalry, marching to Oxford in order to join the king, was met at Stowe by colonel Morgan, and entirely defeated, himſelf being taken priſoner. 'You have done your work,' ſaid Aſtley to the parliamentary officers, 'and may now go to play,[h] unleſs you chooſe to fall out among yourſelves.'

The condition of the king, during this whole winter, was to the laſt degree diſaſtrous and melancholy. As the dread of ills is commonly more oppreſſive than their real preſence, perhaps in no period of his life was he more juſtly the object of compaſſion. His vigour of mind, which, though it ſometimes failed him in acting, never deſerted him in his ſufferings, was what alone ſupported him; and he was determined, as he wrote to lord Digby, if he could not live as a king, to die like a gentleman; nor ſhould any of his friends, he ſaid, ever have reaſon to bluſh for the prince[i] whom they had ſo unfortunately ſerved. The murmurs of diſcontented officers, on the one hand, haraſſed their unhappy ſovereign; while they overrated thoſe ſervices and ſufferings which they now ſaw[k] muſt for ever go unrewarded. The affectionate duty, on the other hand, of his more generous friends, who reſpected his misfortunes and his virtues, as much as his dignity, wrung his heart with a new ſorrow, when he reflected that ſuch diſintereſted attachment would ſo ſoon be expoſed to the rigour of his implacable enemies. Repeated attempts, which he made for a peaceable and equitable accommodation with the parliament, ſerved to no purpoſe but to convince

them that the victory was entirely in their hands. They deigned not to make the leaſt reply to ſeveral of his meſſages, in which he deſired a paſſport for commiſſioners.[l] At laſt, after reproaching him with the blood ſpilt during the war, they told him that they were preparing bills for him, and his paſſing them would be the beſt pledge of his inclination towards peace: in other words, he muſt yield at diſcretion.[m] He deſired a perſonal treaty, and offered to come to London upon receiving a ſafe conduct for himſelf and his attendants. They abſolutely refuſed him admittance, and iſſued orders for the guarding, that is the ſeizing, of his perſon in caſe he ſhould attempt to viſit them.[n] A new incident, which happened in Ireland, ſerved to inflame the minds of men, and to increaſe thoſe calumnies with which his enemies had ſo much loaded him, and which he ever regarded as the moſt grievous part of his misfortunes.

After the ceſſation with the Iriſh rebels the king was deſirous of concluding a final peace with them, and obtaining their aſſiſtance in England; and he gave authority to Ormond, lord lieutenant, to promiſe them an abrogation of all the penal laws enacted againſt catholics, together with the ſuſpenſion of Poining's ſtatute, with regard to ſome particular bills which ſhould be agreed on. Lord Herbert, created earl of Glamorgan (though his patent had not yet paſſed the ſeals), having occaſion for his private affairs to go to Ireland, the king conſidered that this nobleman, being a catholic, and allied to the beſt Iriſh families, might be of ſervice: he alſo foreſaw that farther conceſſions with regard to religion might probably be demanded by the bigoted Iriſh; and that, as theſe conceſſions, however neceſſary, would give great ſcandal to the proteſtant zealots in his three kingdoms, it would be requiſite both to conceal them during ſome time, and to preſerve Ormond's character, by giving private orders to Glamorgan to conclude and ſign theſe articles. But, as

he had a better opinion of Glamorgan's zeal and affection for his ſervice than of his capacity, he enjoined him to communicate all his meaſures to Ormond; and, though the final concluſion of the treaty muſt be executed only in Glamorgan's own name, he was required to be directed, in the ſteps towards it, by the opinion of the lord lieutenant. Glamorgan, bigoted to his religion, and paſſionate for the king's ſervice, but guided in theſe purſuits by no manner of judgment or diſcretion, ſecretly, of himſelf, without any communication with Ormond, concluded a peace with the council of Kilkenny; and agreed, in the king's name, that the Iriſh ſhould enjoy all the churches of which they had ever been in poſſeſſion ſince the commencement of their inſurrection, on condition that they ſhould aſſiſt the king in England with a body of ten thouſand men. This tranſaction was diſcovered by accident. The titular archbiſhop of Tuam being killed by a ſally of the garriſon of Sligo, the articles of the treaty were found among his baggage, and were immediately publiſhed every where, and copies of them ſent over to the Engliſh parliament.° The lord lieutenant and lord Digby, foreſeeing the clamour which would be raiſed againſt the king, committed Glamorgan to priſon, charged him with treaſon for his temerity, and maintained that he had acted altogether without any authority from his maſter. The Engliſh parliament however neglected not ſo favourable an opportunity of reviving the old clamour with regard to the king's favour of popery, and accuſed him of delivering over, in a manner, the whole kingdom of Ireland to that hated ſect. The king told them that the earl of Glamorgan, having made an offer to raiſe forces in the kingdom of Ireland, and to conduct them into England for his majeſty's ſervice, had a commiſſion to that purpoſe, and to that purpoſe only; and that he had no commiſſion at all to treat of any thing elſe without the privity and direction of the lord lieu-

tenant, much leſs to capitulate any thing concerning religion, or any property belonging either to church or laity.[p] Though this declaration ſeems agreeable to truth, it gave no ſatisfaction to the parliament; and ſome hiſtorians, even at preſent, when the ancient bigotry is ſomewhat abated, are deſirous of repreſenting this very innocent tranſaction, in which the king was engaged by the moſt violent neceſſity, as a ſtain on the memory of that unfortunate prince.[q]

Having loſt all hope of prevailing over the rigour of the parliament, either by arms or by treaty, the only reſource which remained to the king was derived from the inteſtine diſſenſions, which ran very high among his enemies. Preſbyterians and independents, even before their victory was fully completed, fell into conteſts about the diviſion of the ſpoil; and their religious as well as civil diſputes agitated the whole kingdom.

ECCLESIASTICAL AFFAIRS.

The parliament, though they had early aboliſhed epiſcopal authority, had not, during ſo long a time, ſubſtituted any other ſpiritual government in its place; and their committees of religion had hitherto aſſumed the whole eccleſiaſtical juriſdiction: but they now eſtabliſhed, by an ordinance, the preſbyterian model in all its forms of congregational, claſſical, provincial, and national, aſſemblies. All the inhabitants of each pariſh were ordered to meet and chooſe elders, on whom, together with the miniſter, was beſtowed the entire direction of all ſpiritual concerns within the congregation. A number of neighbouring pariſhes, commonly between twelve and twenty, formed a claſſis; and the court, which governed this diviſion, was compoſed of all the miniſters, together with two, three, or four, elders choſen from each pariſh. The provincial aſſembly retained an inſpection

over ſeveral neighbouring claſſes, and was compoſed entirely of clergymen. The national aſſembly was conſtituted in the ſame manner, and its authority extended over the whole kingdom. It is probable that the tyranny exerciſed by the Scottiſh clergy had given warning not to allow laymen a place in the provincial or national aſſemblies; leſt the nobility and more conſiderable gentry, ſoliciting a ſeat in theſe great eccleſiaſtical courts, ſhould beſtow a conſideration upon them, and render them, in the eyes of the multitude, a rival to the parliament. In the inferior courts the mixture of the laity might ſerve rather to temper the uſual zeal of the clergy.[r]

But, though the preſbyterians, by the eſtabliſhment of parity among the eccleſiaſtics, were ſo far gratified, they were denied ſatisfaction in ſeveral other points, on which they were extremely intent. The aſſembly of divines had voted preſbytery to be of divine right; the parliament refuſed their aſſent to that deciſion.[s] Selden, Whitlocke, and other political reaſoners, aſſiſted by the independents, had prevailed in this important deliberation. They thought that, had the bigoted religioniſts been able to get their heavenly charter recogniſed, the preſbyters would ſoon become more dangerous to the magiſtrate than had ever been the prelatical clergy. Theſe latter, while they claimed to themſelves a divine right, admitted of a like origin to civil authority; the former, challenging to their own order a celeſtial pedigree, derived the legiſlative power from a ſource no more dignified than the voluntary aſſociation of the people.

Under colour of keeping the ſacraments from profanation, the clergy of all Chriſtian ſects had aſſumed what they call the power of the keys, or the right of fulminating excommunication. The example of Scotland was a ſufficient leſſon for the parliament to uſe precaution in guarding againſt ſo ſevere a tyranny; they determined, by a general ordinance, all the caſes in which

excommunication could be uſed; they allowed of appeals to parliament from all eccleſiaſtical courts; and they appointed commiſſioners in every province to judge of ſuch caſes as fell not within their general ordinance.' So much civil authority, intermixed with the eccleſiaſtical, gave diſguſt to all the zealots.

But nothing was attended with more univerſal ſcandal than the propenſity of many in the parliament towards a toleration of the proteſtant ſectaries. The preſbyterians exclaimed that this indulgence made the church of Chriſt reſemble Noah's ark, and rendered it a receptacle for all unclean beaſts. They inſiſted that the leaſt of Chriſt's truths was ſuperior to all political conſiderations;" they maintained the eternal obligation impoſed by the covenant to extirpate hereſy and ſchiſm; and they menaced all their opponents with the ſame rigid perſecution under which they themſelves had groaned when held in ſubjection by the hierarchy.

So great prudence and reſerve, in ſuch material points, does great honour to the parliament; and proves that, notwithſtanding the prevalency of bigotry and fanaticiſm, there were many members who had more enlarged views, and paid regard to the civil intereſts of ſociety. Theſe men, uniting themſelves to the enthuſiaſts, whoſe genius is naturally averſe to clerical uſurpations, exerciſed ſo jealous an authority over the aſſembly of divines, that they allowed them nothing but the liberty of tendering advice, and would not intruſt them even with the power of electing their own chairman or his ſubſtitute, or of ſupplying the vacancies of their own members.

While theſe diſputes were canvaſſed by theologians, who engaged in their ſpiritual conteſts every order of the ſtate, the king, though he entertained hopes of reaping advantage from thoſe diviſions, was much at a loſs which ſide it would be moſt for his intereſt to comply with. The preſbyterians were, by

their principles, the leaſt averſe to regal authority; but were rigidly bent on the extirpation of prelacy: the independents were reſolute to lay the foundation of a republican government; but, as they pretended not to erect themſelves into a national church, it might be hoped that, if gratified with a toleration, they would admit the re-eſtabliſhment of the hierarchy. So great attachment had the king to epiſcopal juriſdiction, that he was ever inclined to put it in balance even with his own power and kingly office.

But, whatever advantage he might hope to reap from the diviſions in the parliamentary party, he was apprehenſive leſt it ſhould come too late to ſave him from the deſtruction with which he was inſtantly threatened. Fairfax was approaching with a powerful and victorious army, and was taking the proper meaſures for laying ſiege to Oxford, which muſt infallibly fall into his hands. To be taken captive, and led in triumph by his inſolent enemies, was what Charles juſtly abhorred; and every inſult, if not violence, was to be dreaded from that enthuſiaſtic ſoldiery, who hated his perſon and deſpiſed his dignity. In this deſperate extremity he embraced a meaſure which, in any other ſituation, might lie under the imputation of imprudence and indiſcretion.

Montreville, the French miniſter, intereſted for the king more by the natural ſentiments of humanity than any inſtructions from his court, which ſeemed rather to favour the parliament, had ſolicited the Scottiſh generals and commiſſioners to give protection to their diſtreſſed ſovereign; and, having received many general profeſſions and promiſes, he had always tranſmitted theſe, perhaps with ſome exaggeration, to the king. From his ſuggeſtions Charles began to entertain thoughts of leaving Oxford, and flying to the Scottiſh army, which at that time lay before Newark.[x] He conſidered that the Scottiſh nation had been fully

gratified in their demands; and, having already, in their own country, annihilated both epiſcopacy and regal authority, had no farther conceſſions to exact from him. In all diſputes which had paſſed about ſettling the terms of peace, the Scots, he heard, had ſtill adhered to the milder ſide, and had endeavoured to ſoften the rigour of the Engliſh parliament. Great diſguſts alſo, on other accounts, had taken place between the nations; and the Scots found that, in proportion as their aſſiſtance became leſs neceſſary, leſs value was put upon them. The progreſs of the independents gave them great alarm; and they were ſcandaliſed to hear their beloved covenant ſpoken of every day with leſs regard and reverence. The refuſal of a divine right to preſbytery, and the infringing of eccleſiaſtical diſcipline from political conſiderations, were to them the ſubject of much offence. And the king hoped that, in their preſent diſpoſition, the ſight of their native prince, flying to them in this extremity of diſtreſs, would rouſe every ſpark of generoſity in their boſom, and procure him their favour and protection.

That he might the better conceal his intentions, orders were given, at every gate in Oxford, for allowing three perſons to paſs; and in the night the king, accompanied by none but Dr. Hudſon and Mr. Aſhburnham, went out at that gate which leads to London. He rode before a portmanteau, and called himſelf Aſhburnham's ſervant. He paſſed through Henley, St. Albans, and came ſo near to London as Harrow on the Hill. He once entertained thoughts of entering into that city, and of throwing himſelf on the mercy of the parliament. But at laſt, after paſſing through many croſs roads, he arrived at the Scottiſh camp before Newark.[y] The parliament, hearing of his eſcape from Oxford, iſſued rigorous orders, and threatened with inſtant death whoever ſhould harbour or conceal him.[z]

KING GOES TO THE SCOTCH CAMP.

THE Scottiſh generals and commiſſioners affected great ſurpriſe on the appearance of the king; and, though they payed him all the exterior reſpect due to his dignity, they inſtantly ſet a guard upon him, under colour of protection, and made him in reality a priſoner. They informed the Engliſh parliament of this unexpected incident, and aſſured them that they had entered into no private treaty with the king. They applied to him for orders to Bellaſis, governor of Newark, to ſurrender that town, now reduced to extremity; and the orders were inſtantly obeyed. And, hearing that the parliament laid claim to the entire diſpoſal of the king's perſon, and that the Engliſh army was making ſome motions towards them, they thought proper to retire northwards, and to fix their camp at Newcaſtle.[a]

This meaſure was very grateful to the king; and he began to entertain hopes of protection from the Scots. He was particularly attentive to the behaviour of their preachers, on whom all depended. It was the mode of that age to make the pulpit the ſcene of news; and on every great event the whole ſcripture was ranſacked by the clergy for paſſages applicable to the preſent occaſion. The firſt miniſter who preached before the king choſe theſe words for his text: 'And behold all the men of Iſrael came to the king, and ſaid unto him, Why have our brethren, the men of Judah, ſtolen thee away, and have brought the king and his houſehold, and all David's men with him, over Jordan? And all the men of Judah anſwered the men of Iſrael, Becauſe the king is near of kin to us; wherefore then be ye angry for this matter? Have we eaten at all of the king's coſt? or hath he given us any gift? And the men of Iſrael anſwered the men of Judah, and ſaid, We have ten parts in the king, and we have

alſo more right in David than ye: why then did ye deſpiſe us, that our advice ſhould not be firſt had in bringing back our king? [b] And the words of the men of Judah were fiercer than the words of the men of Iſrael.' But the king ſoon found that the happineſs chiefly of the alluſion had tempted the preacher to employ this text, and that the covenanting zealots were nowiſe pacified towards him. Another preacher, after reproaching him to his face with his miſgovernment, ordered this pſalm to be ſung;

'Why doſt thou, tyrant, boaſt thyſelf
Thy wicked deeds to praiſe?'

The king ſtood up, and called for that pſalm which begins with theſe words,

'Have mercy, Lord, on me, I pray;
For men would me devour.'

The good-natured audience, in pity to fallen majeſty, ſhewed, for once, greater deference to the king than to the miniſter, and ſung the pſalm which the former had called for.[c]

END OF THE WAR.

CHARLES had very little reaſon to be pleaſed with his ſituation. He not only found himſelf a priſoner, very ſtrictly guarded; all his friends were kept at a diſtance; and no intercourſe, either by letters or converſation, was allowed him with any one on whom he could depend, or who was ſuſpected of any attachment towards him. The Scottiſh generals would enter into no confidence with him, and ſtill treated him with diſtant ceremony and feigned reſpect; and every propoſal which they made him tended farther to his abaſement and to his ruin.[a]

They required him to iſſue orders to Oxford, and all his other garriſons, commanding their ſurrender to the parliament; and the king, ſenſible that their reſiſtance was to very little purpoſe, willingly complied. The terms given to moſt of them were honourable; and Fairfax, as far as it lay in his power, was very exact in obſerving them. Far from allowing violence, he would not even permit inſults or triumph over the unfortunate royaliſts; and by his generous humanity ſo cruel a civil war was ended, in appearance very calmly, between the parties.

Ormond, having received like orders, delivered Dublin, and other forts, into the hands of the parliamentary officers. Montroſe alſo, after having experienced ſtill more variety of good and bad fortune, threw down his arms, and retired out of the kingdom.

The marquis of Worceſter, a man paſt eighty-four, was the laſt in England that ſubmitted to the authority of the parliament. He defended Raglan caſtle to extremity; and opened not its gates till the middle of Auguſt. Four years, a few days excepted, were now elapſed ſince the king firſt erected his ſtandard at Nottingham.[e] So long had the Britiſh nations, by civil and religious quarrels, been occupied in ſhedding their own blood, and laying waſte their native country.

The parliament and the Scots laid their propoſals before the king. They were ſuch as a captive, entirely at mercy, could expect from the moſt inexorable victor; yet were they little worſe than what were inſiſted on before the battle of Naſeby. The power of the ſword, inſtead of ten, which the king now offered, was demanded for twenty years, together with a right to levy whatever money the parliament ſhould think proper for the ſupport of their armies; the other conditions were, in the main, the ſame with thoſe which had formerly been offered to the king.[f]

Charles ſaid that propoſals, which introduced ſuch important innovations in the conſtitution, demanded time for deliberation: the commiſſioners replied, that he muſt give his anſwer in ten days.[g] He deſired to reaſon about the meaning and import of ſome terms: they informed him that they had no power of debate; and peremptorily required his conſent or refuſal. He requeſted a perſonal treaty with the parliament: they threatened that, if he delayed compliance, the parliament would, by their own authority, ſettle the nation.

What the parliament was moſt intent upon was not their treaty with the king, to whom they paid little regard; but that with the Scots. Two important points remained to be ſettled with that nation; their delivery of the king, and the eſtimation of their arrears.

The Scots might pretend that, as Charles was king of Scotland, as well as of England, they were entitled to an equal vote in the diſpoſal of his perſon; and that, in ſuch a caſe, where the titles are equal and the ſubject indiviſible, the preference was due to the preſent poſſeſſor. The Engliſh maintained that the king, being in England, was comprehended within the juriſdiction of that kingdom, and could not be diſpoſed of by any foreign nation. A delicate queſtion this, and what ſurely could not be decided by precedent, ſince ſuch a ſituation is not any where to be found in hiſtory.[h]

As the Scots concurred with the Engliſh in impoſing ſuch ſevere conditions on the king, that, notwithſtanding his unfortunate ſituation, he ſtill refuſed to accept of them, it is certain that they did not deſire his freedom; nor could they ever intend to join lenity and rigour together in ſo inconſiſtent a manner. Before the ſettlement of terms the adminiſtration muſt be poſſeſſed entirely by the parliaments of both kingdoms; and how incompatible that ſcheme with the liberty of the king is eaſily

imagined. To carry him a priſoner into Scotland, where few forces could be ſupported to guard him, was a meaſure ſo full of inconvenience and danger, that, even if the Engliſh had conſented to it, it muſt have appeared to the Scots themſelves altogether uneligible. And how could ſuch a plan be ſupported in oppoſition to England, poſſeſſed of ſuch numerous and victorious armies, which were at that time, at leaſt ſeemed to be, in entire union with the parliament? The only expedient, it is obvious, which the Scots could embrace, if they ſcrupled wholly to abandon the king, was immediately to return, fully and cordially, to their allegiance; and, uniting themſelves with the royaliſts in both kingdoms, endeavour, by force of arms, to reduce the Engliſh parliament to more moderate conditions. But, beſides that this meaſure was full of extreme hazard, what was it but inſtantly to combine with their old enemies againſt their old friends; and, in a fit of romantic generoſity, overturn what, with ſo much expenſe of blood and treaſure, they had, during the courſe of ſo many years, been ſo carefully erecting?

But, though all theſe reflections occurred to the Scottiſh commiſſioners, they reſolved to prolong the diſpute, and to keep the king as a pledge for thoſe arrears which they claimed from England, and which they were not likely, in the preſent diſpoſition of that nation, to obtain by any other expedient. The ſum, by their account, amounted to near two millions; for they had received little regular pay ſince they had entered England. And, though the contributions which they had levied, as well as the price of their living at free quarters, muſt be deducted, yet ſtill the ſum which they inſiſted on was very conſiderable. After many diſcuſſions, it was at laſt agreed that, in lieu of all demands, they ſhould accept of four hundred thouſand pounds, one half to be paid inſtantly, another in two ſubſequent payments.[i]

Great pains were taken by the Scots (and the Engliſh complied with their pretended delicacy) to make this eſtimation and payment of arrears appear a quite different tranſaction from that for the delivery of the king's perſon; but common ſenſe requires that they ſhould be regarded as one and the ſame. The Engliſh, it is evident, had they not been previouſly aſſured of receiving the king, would never have parted with ſo conſiderable a ſum; and, while they weakened themſelves, by the ſame meaſure have ſtrengthened a people with whom they muſt afterwards have ſo material an intereſt to diſcuſs.

Thus the Scottiſh nation underwent, and ſtill undergo (for ſuch grievous ſtains are not eaſily wiped off), the reproach of ſelling their king, and betraying their prince, for money. In vain did they maintain that this money was, on account of former ſervices, undoubtedly their due; that, in their preſent ſituation, no other meaſure, without the utmoſt indiſcretion, or even their apparent ruin, could be embraced; and that, though they delivered their king into the hands of his open enemies, they were themſelves as much his open enemies as thoſe to whom they ſurrendered him; and their common hatred againſt him had long united the two parties in ſtrict alliance with each other. They were ſtill anſwered that they made uſe of this ſcandalous expedient for obtaining their wages; and that, after taking arms without any provocation againſt their ſovereign, who had ever loved and cheriſhed them, they had deſervedly fallen into a ſituation, from which they could not extricate themſelves without either infamy or imprudence.

The infamy of this bargain had ſuch an influence on the Scottiſh parliament, that they once voted that the king ſhould be protected, and his liberty inſiſted on. But the general aſſembly interpoſed, and pronounced that, as he had refuſed to take the covenant, which was preſſed on him, it became not the godly

to concern themſelves about his fortunes. After this declaration it behoved the parliament to retract their vote.[k]

Intelligence concerning the final reſolution of the Scottiſh nation to ſurrender him was brought to the king; and he happened, at that very time, to be playing at cheſs.[l] Such command of temper did he poſſeſs, that he continued his game without interruption; and none of the byſtanders could perceive that the letter which he peruſed had brought him news of any conſequence. The Engliſh commiſſioners, who ſome days after came to take him under their cuſtody, were admitted to kiſs his hands; and he received them with the ſame grace and cheerfulneſs as if they had travelled on no other errand than to pay court to him. The old earl of Pembroke in particular, who was one of them, he congratulated on his ſtrength and vigour, that he was ſtill able, during ſuch a ſeaſon, to perform ſo long a journey in company with ſo many young people.

KING DELIVERED UP BY THE SCOTS. 1647.

THE king, being delivered over by the Scots to the Engliſh commiſſioners, was conducted, under a guard, to Holdenby, in the county of Northampton. On his journey the whole country flocked to behold him, moved partly by curioſity, partly by compaſſion and affection. If any ſtill retained rancour againſt him, in his preſent condition, they paſſed in ſilence; while his well-wiſhers, more generous than prudent, accompanied his march with tears, with acclamations,[m] and with prayers for his ſafety. That ancient ſuperſtition likewiſe, of deſiring the king's touch in ſcrophulous diſtempers, ſeemed to acquire freſh credit among the people from the general tenderneſs which began to prevail for this virtuous and unhappy monarch.

The commiſſioners rendered his confinement at Holdenby very rigorous; diſmiſſing his ancient ſervants, debarring him from viſits, and cutting off all communication with his friends or family. The parliament, though earneſtly applied to by the king, refuſed to allow his chaplains to attend him, becauſe they had not taken the covenant. The king refuſed to aſſiſt at the ſervice exerciſed according to the directory, becauſe he had not as yet given his conſent to that mode of worſhip.[n] Such religious zeal prevailed on both ſides; and ſuch was the unhappy and diſtracted condition to which it had reduced king and people!

During the time that the king remained in the Scottiſh army at Newcaſtle died the earl of Eſſex, the diſcarded, but ſtill powerful and popular, general of the parliament. His death, in this conjuncture, was a public misfortune. Fully ſenſible of the exceſſes to which affairs had been carried, and of the worſe conſequences which were ſtill to be apprehended, he had reſolved to conciliate a peace, and to remedy, as far as poſſible, all thoſe ills to which, from miſtake rather than any bad intentions, he had himſelf ſo much contributed. The preſbyterian, or the moderate party among the commons, found themſelves conſiderably weakened by his death; and the ſmall remains of authority which ſtill adhered to the houſe of peers were in a manner wholly extinguiſhed.[o]

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